

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Tuesday, April 6, 1943.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Colcord of Gardiner.

Journal of the previous session read and approved.

Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Providing for Emblems Designating the Members of the Legislature" (H. P. 1267) (L. D. 774) reporting that they are unable to agree.

(Signed)

Messrs. SAYWARD of Kennebunk
LEAVITT of Portland
BYERS of Newcastle

—Committee on part of House.

ELLIOT of Knox

WASHBURN of Wash-
ton

DOW of Oxford

—Committee on part of Senate.

Report read and accepted and sent up for concurrence.

Papers from the Senate**Senate Reports of Committees****Place on File**

Report of the Committee on Inland Fisheries and Game on Remonstrances of John Hutchins and 18 others of Starks (S. P. 450) Otto Currier and 37 others of Aroostook Co. (S. P. 452) Ora E. Smart and 95 others of Aroostook County (S. P. 453) and John L. Foss and 30 others of Athens (S. P. 449) against Trapping of Foxes reporting that they be placed on file.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Changing the Minimum Age of Voters from 21 Years to 18 Years (S. P. 339) (L. D. 513)

Report of the Committee on Inland Fisheries and Game reporting same on Resolve relating to Fishing in the Tributaries of Moxie Pond (S. P. 254) (L. D. 365)

Report of same Committee reporting same on Resolve relating to the Rules and Regulations on the Fishing for White Perch in Three-Mile Pond, in the County of Kennebec (S. P. 171) (L. D. 231)

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Final Reports

Final Report of the Committee on Inland Fisheries and Game.

Final Report of the Committee on Pownal State School.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Temperance on Bill "An Act to Provide Strict Enforcement Provisions Covering the Operation of Retail Outlets of Malt Beverages" (S. P. 328) (L. D. 503) reporting same in a new draft (S. P. 484) (L. D. 896) and that it "Ought to pass"

Report of the Committee on Ways and Bridges on Resolve in favor of Hancock County (S. P. 123) (L. D. 93) reporting same in a new draft (S. P. 483) (L. D. 888) under title of "An Act Providing for the Retirement of Certain Hancock-Sullivan Bridge Bonds" and that it "Ought to pass"

Came from the Senate, Reports read and accepted and the Bills passed to be engrossed.

In the House, Reports read and accepted in concurrence and the Bills were read twice and assigned for this afternoon.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Resolve Authorizing the Purchase of Property for the State (S. P. 78) (L. D. 34)

Report of the Committee on Library reporting same on Resolve for the Purchase of One Hundred Copies of "History of Morrill, Maine" (S. P. 199) (L. D. 897)

Came from the Senate, the Reports read and accepted and the Resolves passed to be engrossed.

In the House, Reports were read and accepted in concurrence, and the Resolves were read once, and assigned for this afternoon.

Non-Concurrent Matter

From the Senate: Bill "An Act Authorizing a Reissuance of Bonds for the Purpose of Refunding Waldo-Hancock Bridge Bonds" (H. P. 1208) (L. D. 683) which was passed to be engrossed in the House on March 31st.

Came from the Senate, indefinitely postponed in non-concurrence.

In the House, on motion by Mr. McLeod of Bar Harbor, the House voted to recede from its former action whereby it passed this bill to be engrossed on March 31st and concurred with the Senate in the indefinite postponement of the bill.

Non-Concurrent Matter

Bill "An Act relating to Institutional Farms" (H. P. 1348) (L. D. 886) which was passed to be engrossed in the House on April 1st.

Came from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Leavitt of Portland, the House voted to insist on its former action and ask for a committee of Conference.

Thereupon, the Speaker appointed the following Conferees on the part of the House:

MESSRS. LEAVITT of Portland
DENNY of Damariscotta
BUZZELL of Fryeburg

Report of the Committee on Pensions on the following Resolves:

(This list of Resolves will be found in the Legislative Record of the Senate Proceedings of April 1st, 1943)

reporting a Consolidated Resolve (S. P. 485) (L. D. 898) under title of "Resolve providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons" and that it "Ought to pass"

Came from the Senate, the Report read and accepted and the Resolve passed to be engrossed.

In the House, Report read and accepted in concurrence, and the Resolve was read once and assigned for this afternoon.

On motion by Miss Bangs of Brunswick, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Orders

On motion by Mr. Marsans of Monmouth, it was

ORDERED, that the House seats shall all be reserved for the members at the Mock Session this evening, except the seats in the front row, which shall be reserved for participants.

The SPEAKER: At this time the Chair recognizes the gentleman from Gray, Mr. Doughty, and designates him as Speaker pro tem, and requests the Sergeant-at-Arms to conduct him to the rostrum.

Thereupon, the Sergeant-at-Arms conducted Mr. Doughty to the rostrum, where he assumed the Chair amid the applause of the House, the members rising.

House Reports of Committees Leave to Withdraw

Mr. Knight from the Committee on Claims on Resolve in favor of the City of Eastport (H. P. 624) reported leave to withdraw as it is taken care of otherwise.

Report was read and accepted and sent up for concurrence.

Place on File

Mr. Hamilton from the Committee on Education on Petition of Guy L. Thomas and others (H. P. 589) reported that same be placed on file.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Hamilton from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse the town of Charleston for Expenses Incurred in Support of a State Pauper (H. P. 1214)

Same gentleman from same Committee reported same on Resolve in favor of the Miles Memorial Hospital of Damariscotta (H. P. 1210)

Mr. Knight from same Committee reported same on Resolve in favor of the town of Etna to Cover Expenses of Relief of Arthur M. Clewley and Family (H. P. 277)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. Murchie from the Committee on Appropriations and Financial Affairs or Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1944 and June 30, 1945" (H. P. 308) (L. D. 217) reported same in a new draft (H. P. 1366) under same title and that it "Ought to pass."

Report was read and accepted and the new draft ordered printed under the Joint Rules.

Mr. Littlefield from the Committee on Claims on the following Resolves:

S. P. 38. Resolve to Reimburse Dr. Lester R. Nesbitt of Bucksport for Medical Services.

S. P. 114. Resolve to Reimburse the Town of South Berwick for Support of Joseph Rollins.

S. P. 139. Resolve in Favor of the Town of Gilead.

S. P. 186. Resolve in Favor of the Town of Wilton.

S. P. 350. Resolve in Favor of the Central Maine General Hospital of Lewiston.

S. P. 388. Resolve in Favor of Orphelinat St. Joseph et Hospice Marcotte, of Lewiston.

S. P. 389. Resolve in Favor of Orphelinat St. Joseph et Hospice Marcotte, of Lewiston.

H. P. 43. Resolve in Favor of Clyde Mahoney of Norridgewock.

H. P. 44. Resolve in Favor of the Town of Winterport in the case of Charles E. Reynolds.

H. P. 45. Resolve to Reimburse the Town of Lincoln for Support of John S. McNamara and Family.

H. P. 64. Resolve to Reimburse the Town of Lincolnville for Support of Charles I. Oxton.

H. P. 71. Resolve to Reimburse the Town of Hampden for Support of Barbara Arey.

H. P. 72. Resolve to Reimburse the Town of Hampden for Support and Care of Merton Haskell.

H. P. 77. Resolve Reimbursing the Town of Trescott for Burial Expenses for George Moan.

H. P. 85. Resolve to Reimburse the Town of Millinocket for Support of Carl King and Family.

H. P. 127. Resolve to Reimburse the Town of Montville for Support of William T. Carter and Family.

H. P. 131. Resolve to Reimburse the Town of Prospect for Support of John A. and Ada M. Burke.

H. P. 216. Resolve to Reimburse the Town of Bar Harbor for support of Abbie Allard.

H. P. 217. Resolve to Reimburse the Town of Bar Harbor for Support of Campbell E. Hillgrove and Family.

H. P. 218. Resolve to Reimburse the Town of Bar Harbor for Support of Lawrence A. Pinkham.

H. P. 273. Resolve in Favor of the Town of Portage.

H. P. 275. Resolve in Favor of the Town of Mattawamkeag.

H. P. 280. Resolve to Reimburse the Town of Bar Harbor for Support of Vernon G. Smith.

H. P. 281. Resolve to Reimburse the Town of Bar Harbor for Support of Lawrence B. Willey.

H. P. 393. Resolve in Favor of the Town of Etna.

H. P. 394. Resolve in Favor of Cecil N. Godfrey of Old Town.

H. P. 396. Resolve to Reimburse the City of Bath for supplies Furnished Emile Anderson and Family.

H. P. 397. Resolve to Reimburse the City of Biddeford for Support of Fernand (Ferrand) Lamirande.

H. P. 398. Resolve to Reimburse the City of Biddeford for Support of Children of Wilfrid Cartier.

H. P. 400. Resolve to Reimburse the City of Bangor for Supplies furnished Various Individuals According to Statements Hereto Attached.

H. P. 402. Resolve to Reimburse the Town of Bar Harbor for Support of Leman Hillgrove.

H. P. 403. Resolve to Reimburse the Town of Bar Harbor for Support of Waldo Burns.

H. P. 447. Resolve in Favor of the Town of Mars Hill.

H. P. 773. Resolve in Favor of Mrs. Leslie Wakefield of Ashland.

H. P. 774. Resolve to Reimburse the Town of Brunswick for Care of Richard Haynes.

H. P. 777. Resolve in Favor of the Eastern Maine General Hospital of Bangor.

H. P. 778. Resolve in Favor of Mack Thibodeau of Fort Kent.

H. P. 781. Resolve to Reimburse the City of Portland for Support and Care of Winfield and Ernest G. Clark.

H. P. 902. Resolve in favor of the Town of Veazie.

H. P. 919. Resolve to Reimburse the Town of Meddybemps for the Care and Support of Dorothy A. McElroy and Minor Children.

H. P. 1090. Resolve in Favor of the Town of Sanford for the Support of Certain Public Dependents.

H. P. 1091. Resolve to Reimburse the Town of Swan's Island for Supplies Furnished to a State Pauper.

H. P. 1093. Resolve Reimbursing the Town of Monticello for Care and Support of State Paupers.

reported a Consolidated Resolve (H. P. 1365) under title of "Resolve providing for the Payment of Certain Pauper Claims" and that it "Ought to pass."

Report was read and accepted and the new draft ordered printed under the Joint Rules.

Mr. Hamilton from the Committee on Education on the following Resolves:

S. P. 156 Resolve in Favor of Berwick Academy.

S. P. 209 Resolve in Favor of Coburn Classical Institute.

S. P. 157 Resolve in Favor of Greeley Institute, in the Town of Cumberland.

S. P. 317 Resolve in Favor of Parsonsfield Seminary.

S. P. 158 Resolve in Favor of Pennell Institute, in the Town of Gray

H. P. 538 Resolve in Favor of Corinna Union Academy.

H. P. 239 Resolve in Favor of East Corinth Academy.

H. P. 783 Resolve in Favor of Erskine Academy.

H. P. 934, L. D. 486 Resolve in Favor of Freedom Academy.

H. P. 537 Resolve in Favor of Leavitt Institute.

H. P. 310 Resolve in Favor of Lebanon Academy.

H. P. 627 Resolve in Favor of Limington Academy.

H. P. 933, D. D. 544 Resolve in Favor of Lincoln Academy.

H. P. 451, Resolve in Favor of Litchfield Academy.

H. P. 456 Resolve in Favor of Monmouth Academy.

H. P. 32 Resolve in Favor of Monson Academy.

reported a Consolidated Resolve (H. P. 1364) under title of "Resolve in favor of Several Academies, Institutes and Seminaries" and that it "Ought to pass."

Report was read and accepted and the new draft ordered printed under the Joint Rules.

First Reading of Printed Resolves

Resolve in favor of George Crimmins of Brunswick (H. P. 1218) (L. D. 904)

Resolve in favor of William F. Tracy of Passadumkeag (H. P. 1362) (L. D. 905)

Resolves were read once and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act relating to the Expenses of the Judge of Western Somerset Municipal Court" (S. P. 181) (L. D. 240)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Bill "An Act relating to Slaughterhouses" (H. P. 1353) (L. D. 894)

Was reported by the Committee on Bills in the Third Reading.

The SPEAKER pro tem: The Chair recognizes the gentleman from Benton, Mr. Kent.

Mr. KENT: Mr. Speaker, I do not think I would be willing to accept the report of the committee. I may be standing alone, and probably I am; but I wish that the members of the House could see this as I do, but probably they cannot.

I think that this bill that was drafted has had an awful lot of amendments. If it had been a good bill, and if they had thought so in the first place, it would not have taken so many amendments to try to get this bill through.

I appeared before the Committee on this bill. I did not like the bill, and I did not like the way they were trying to put it through. The doctor there was asked what this bill was intended to do in the end, and they said it was to bring all slaughtered animals to certain places to have them inspected and to have them slaughtered.

Now, the same doctor said: "If there is anything that you can do to get this bill through, do not do anything for the farmer whatsoever, but just get this bill started." Now that does not look very good to me, doing something to get a bill started when the majority of the people are against it.

Now I know that the people whom I represent are not in favor of this bill, and I know that a great many people have been misinformed about the butchers in this state—what they do and the things they carry out. Sometimes I think it would be better if somebody tried to educate the people and tell them about the good things that these men do, and tell people how to pick out a good piece of meat, and tell men and women to get in touch with the people they can trust and who will give them meat that is good.

I want to tell you about the butchers. A butcher is a man who butchers and a man who slaughters, and he always tries to keep his meat in just the best possible condition in which he can keep it.

They tell you about the meat being contaminated by filth and those things. You know when a man butchers a creature he does not throw it down on the floor; it is not put there to be contaminated, because he has done everything he could to keep that meat good. He does not get it bloody or dirty if there is any way he can possibly help it. And in the summer, when they have flies, that man butchers his stuff a good many times after the sun goes down. The housefly does not make much difference, but these botflies get into meat; and he has to be careful, if he is selling his meat to a grocer or somebody else who is selling it, to have that meat in nice shape to deliver.

They tell about diseases and other things in meat. There is some disease in meat, but it does not show up to a great extent. They tell people that a cow that is butchered is not good. They put a bee on the piece the next day that it has got to be butchered in so long a time, and it is butchered and sent to market and sold for consumption, because they tell us that meat is not affected by the disease. And the cattle that are condemned for tubercular troubles

are sent to some big place, and the majority of that meat is canned and sold back to the people.

Now, of course there are always places where somebody is not quite up to standard and does not do things just as he should. We have hundreds of housekeepers in the world, and some of those housekeepers are not up to standard according to somebody else's thinking. I think we are carrying this thing too far.

Another thing is that this requires a lot of money, and I think the people of the state and over the nation are getting so they are tired of paying so much taxes. I think we are paying more and more taxes. This bill calls for \$8000 a year for two years and \$8000 for another two years, and then all the fees and fines you are going to take out of these people. I think if you are going to have any kind of a fee it should not be as big as it is. Really, I do not like to see these departments in the State House growing more and more. Did you ever stop to think how they have grown in twelve years? Twelve years ago I was here in the State House. At that time the Police Department was here; the Motor Vehicles Department was here. Today you have got a building across the river which probably cost seventy-five or a hundred thousand dollars; you have got the Welfare Department across the road, and you have got the Automobile Department down here in a garage. Those things are growing and growing, and those things always cost money, and it takes an awful lot of money to keep those things going. The people are dissatisfied with the Legislature because they are passing these bills, and they are dissatisfied with the Legislature because they are raising salaries and doing all these other things. They do not like it. I came down from Waterville this morning with a man and he said the only thing you can do to help the people in the State of Maine is to put a bill in there to do away with the Legislature for the next twenty-five years. (Laughter) So you can see how the people feel about those things. I feel that our expense is getting to be too much, and I feel that we should not do these things. I hope this bill will not pass, and I move its indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Damariscotta, Mr. Denny.

Mr. DENNY: Mr. Speaker, in the southwestern part of the United States, down in the country where there are prairies and small towns, an Indian went into a bank in one of these small towns and went up to the cashier and said, "I want to borrow \$200." The cashier said, "That is very nice of you, but you will have to see the President," and he directed him into the President's office. The President of the bank told the Indian he would, of course, have to have some security or collateral if he were to loan this Indian \$200. He could not quite seem to make the Indian understand, and so he questioned him. He asked the Indian if he owned a house. The Indian said, "No." "Do you own a ranch?" The Indian said, "No." "Well," he said, "what do you own?" The Indian said, "I got 200 horses." The President said, "That is fine; that is all we need; that is collateral enough; you can have your \$200." So he sent the Indian back to the cashier's window and the cashier gave him the \$200 and the Indian went out. The next morning the Indian came back and walked up to the cashier's window and said, "I want to pay my \$200." The cashier said, "That is fine." He got the papers out and was about to give the receipted note to the Indian when the Indian pulled out of his pocket a large roll of bills. He peeled off from the top of the roll two one hundred dollar bills, put the rest in his pocket and laid the two bills down on the counter. The cashier gave him his receipt and took the money. Then the cashier, with an eye to business for the bank, spoke to the Indian just as he was going out: "Just come back a minute. I could not help but notice that roll of bills. You know it is a little unsafe to carry around that much money out in this country. We are in the business of keeping people's money. Why don't you leave that money here at the bank, and then when you want any money just come in and get what you want? You are just loaning it to us and we will pay you interest on it, just as you borrowed from us and paid us interest on it." The Indian turned around and thought a minute, and then he turned

around and looked at the cashier and said, "How many horses have you got?" (Laughter)

That dealer bill we had before the House the other day had some horses in it and they were taken out, and I guess cattle have been taken out too. But there are no horses in this bill.

It is rather disturbing sometimes, to hear members of the Legislature say: "Why do they need to license this man or license that man?" The only answer is that it is a way certain departments have for the protection of the public or industry or some program which this Legislature has set up for them.

It is also disturbing to hear members say, as one did the other day, that if a department wants this why not let it go through and let them have it—but they do not say what they want it for.

The gentleman from Benton, Mr. Kent, has just said we do not want to see the departments grow. The only answer to that, of course, is that this particular bill is not a departmental bill. Believe it or not, it is not a departmental bill. This bill was started and originated by a demand from the public who went to the department and said that they wanted this or that. I wonder sometimes if this Legislature and the people in the State really appreciate the enviable position of the Department of Agriculture in this State? We have at the head of that department a Commissioner who is outstanding among the commissioners of New England, outstanding among the commissioners in the United States. It is even said that certain things that happen in Washington in these days worry the department up here, worry the State and worry the Commission; but it is also said that the Commissioner in this State is worrying some of the people in Washington more than they are worrying him. That is the case. The Commissioner has gone to bat with the Department of Agriculture; gone to bat for the potato industry. I think there is no one in Aroostook County who questions that. He has gone to bat for the beef industry and the dairy industry. They are doing their duty as they see it, which you as a Legislature are authorizing them to do.

Under this Commissioner you have a department that is certainly functioning as near one hundred per cent as it can function. We hear this talk about why do they want to license and why do they want this bill and that bill.

You have got to remember that some of these departments — and I think that we often lose sight of the fact there is at least one department that I want to speak of right now that has for its purpose solely the protection of the public. That department administers the Pure Food and Drug Acts, which is a further protection to the public. It was to that department that these people who believed that there should be some regulation in sanitary precautions in slaughter houses came. That is the connection between a department who some say want this thing and the actual facts.

It is not the intent or the purpose of this bill to bother any law-abiding farmer or any law-abiding meat peddlers or law-abiding slaughterhouses. The purpose of this bill is primarily the purpose of most any restrictive order that the public feels needs to be passed. It is always necessary in the case of a license if you are going to protect the public from the very small minority of unscrupulous dealers, or what not, that the bill is aimed at.

This bill does not, as some seem to think, interfere with a farmer selling his own stock, slaughtering his own stock. It is purely a bill to improve sanitary conditions in slaughter houses. Neither does it tend to limit a doctor or a banker or a real estate agent or anyone who might have some home that they might not call a farm, but who raise a pig, for instance, and slaughter the pig and sell half of the pig. It does not prohibit them from doing that. They are not running a slaughter house and they are not required to comply with sanitary regulations which might be set up for slaughterhouses. They are—and I want to make this very clear—every farmer is obligated to the penalties. In other words a farmer or anyone else who sells meat is obligated to the penalties if he does not sell pure or wholesome meat. There are very few farmers, or anyone else, but who wants to sell pure and wholesome meat fit for human

consumption; but there are an unscrupulous few who do sell that kind of meat, and this bill is primarily to regulate and get at those who carry on that practice.

Recently a state official made an unofficial inspection of slaughter houses in the State which covered quite a few slaughterhouses. If the report were made public and the pictures that were taken at those slaughterhouses put on your desks so you could see them, every one of you and every one of your constituents who could see that report and those pictures would certainly think twice before they bought meat without knowing where it was slaughtered, who slaughtered it, and where it came from.

Conditions in some slaughter houses, a small minority, are disgustingly disgraceful. You have only to go to certain sections of the state to find quite a few of them, and it is to bring those individuals who operate those slaughterhouses into line that this bill is aimed. Unquestionably there are some peddlers who are opposed to this. In all fairness to you folks here and to your constituents, I ask you: Should not we require some kind of sanitary conditions in slaughterhouses?

In this unofficial visit that this state official made to these slaughterhouses, for instance, he found in one slaughterhouse two bob calves hanging up. Perhaps some of you do not know what a bob calf is. Roughly, a bob calf is a calf that is too young to be suitable for human consumption. Those calves were hanging up in the slaughterhouse.

Naturally they tried to do something about it, to prevent the man from selling them. They were stuck further than that, because it was determined that these bob calves were not just too young, but they were unborn calves and had not been killed in the slaughterhouse. Finally, in the process of trying to prevent this man from selling those calves, the judge told them they could do nothing about it unless they caught him actually selling them. They had no right to do anything to prevent him from trying to sell them. Now, stuff like that is going out on the market to an unsuspecting public, and it should be stopped and curtailed.

This measure at the hearing was given a very fair hearing. There were some objections. The gentleman from the other side of the hall, Mr. Kent, objected to it. I think there was practically no other objection. But there was a representative from the Maine Consumers Council, and there were representatives from women's clubs suggesting that some measure such as this was necessary.

And so, in view of these things, it is our idea that a measure like this is necessary. It is not a complete control. In some states they have complete meat inspection. This does not go as far as that. It merely controls to some extent sanitary conditions at slaughterhouses. That is the fundamental start. It is the only start that can be made. If at some later date the public wants meat control or inspection, this is just one step to start with. It is these people, the women's clubs and the Consumers Council who are big buyers of meat and who buy the meat to put on your table and my table and on the tables of our constituents, who are requesting a measure like this. It naturally falls into the Department of Agriculture, because that department has the particular job of administering the Pure Food and Drug Acts that protect the public health and welfare.

I hope that the motion of the gentleman from Benton, Mr. Kent, for indefinite postponement does not prevail, and I hope the unanimous report of the Committee on Public Health prevails.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker, I do not wish to attempt to enter into anything like a full discussion of this matter, but as a meat buyer for home consumption, I do wish to lay before the House a few things that I know about the condition that has prevailed in the State of Maine for the past six months or more.

In the first place, I believe that the proponents of this measure do not even live in the State of Maine, and I will tell you the history of what leads me to believe these matters.

For twenty-five years I have bought meat for my hotel from a

certain wholesale meat house within this State. I go to the meat house and select the meat which I want, and it is tied up; I pay for it and go home with it. Along early in the fall I drove in one day, went into the refrigerator and looked, and that refrigerator was hanging full of fine, nice prime pieces of beef, lamb, veal, mutton—almost anything that you could mention; and I suggested that there was a certain nice loin that I desired, and some other pieces. He said: "We cannot sell you that. Every piece of meat we have got in here is sold." I said: "Who is it sold to?" He said, "The A & P Company, and we cannot do a thing for you."

I went back the next week and it was the same story. I took a man who had waited on me for a long period of time one side and said: "Tell me what the story is to this. Why can't we purchase what meat is necessary for us?" He said: "The reason for it is that the difference between the ceiling price which the farmers can charge for the meat in the west and the price that we are allowed to charge for it here is not sufficient to give us a reasonable or desirable profit, and we are going to force a change in the profits which we are allowed to make, and we are going to make meat so scarce in the State of Maine that it will bring that about very easy."

Well, I went home. I had to find other methods of getting meat; and perhaps through luck and perhaps through a little foresight, I had a pasture that had a few nice young animals in it—perfectly good beef, and that was all we had to use for beef, and did use throughout the fall. The condition, as time went on, got worse for everybody.

Now, here comes this Legislature, and we have given away nearly all of our rights, and that is the right to have a neighboring butcher dress a perfectly healthy animal; dress it under as clean conditions as you will find anywhere, and sell you a side of beef. And this is a proposition to make that so effectual, that all the dressing of beef or any other meat for consumption will have to go through some central source whereby outside meat producers will be able to control it.

Now members, as to the Commissioner of Agriculture, he has my

absolute confidence and respect; but, ladies and gentlemen, he cannot and does not know all that happens in the State of Maine in regard to the meat situation, no matter how bright he may be.

The gentleman referred to having the Legislature meet only once in twenty-five years. That would be a fine thing! That would be a very serious thing—because under the guise of war effort, and things necessary for us to propose as war supporters and loyal American citizens, we are passing through this House a lot of unnecessary legislation that we are going to be glad to come back here, and on the behalf of our constituents repeal, before two years are up.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker and Members of the House: It seems only fair that I attempt to explain to you why I signed the committee report favorably on this particular bill.

I want to say, at the outset, that I approached this bill not as a member of my profession solely, but I attempted to approach it having the interest of the farmer particularly at heart. I assume that I am as much opposed to licensing every vocation in life as any man in this Legislature,—I have opposed it for years—but this particular piece of legislation is not a new thing.

Twenty years ago or more, if my memory serves me correctly, there was an attempt made on the part of the Department of Agriculture to get a slaughterhouse licensing bill enacted. It passed this House lacking only seven votes. I think I am correct. So you see this is not a brain storm brought about by war conditions. On the face of it, and fundamentally, it is an honest, earnest effort to have certain places of business licensed so that they may be investigated by the Department from time to time. If they are proper places for the slaughtering of beef, which you and I have to consume, they have absolutely nothing to fear; and really an inspection, if the slaughterhouse is found in proper condition, is a commendation for that place of business rather than a reflection upon it. This is not intended in any way to place a hardship on the little fellow who is slaughtering beef, but I leave it to

your good judgment if it is not as essential that the little fellow conforms to cleanliness and sanitary conditions as much as the man who runs a public abattoir.

I want to say to you that this bill is not the same bill which my friend, the gentleman from Benton, Mr. Kent, has referred to. That bill came before our committee, and I personally felt that it was altogether too drastic a measure to consider.

In connection with representatives from the Department of Agriculture and Dr. Witter, of the University of Maine, we carefully revamped the bill and struck out several features which were undesirable, and attempted to formulate a measure which was fair and workable—and that bill is before you today.

You will notice, if you will read your bill carefully, that the farmer, particularly, here is well protected. His rights are not infringed upon. To that extent this says very clearly that "... the provision of this act requiring a license shall not apply to any bona fide farmer who butchers or has butchered for him his own domestic animals or fowl on his farm, as elsewhere. . . ."

It does apply specifically to the man who is operating a slaughterhouse with perhaps no thought or consideration of sanitation or cleanliness. It is intended to benefit and safeguard the purchaser of beef, meat, or meat products, that he may know, when he is buying such an article that that particular piece of meat has been slaughtered under proper conditions and is a proper food product. Now, that is entirely what this bill provides for.

Now, how could the Department obtain those results if it did not know where the slaughterhouse was and how it was operated? That is the purpose of the registration—the licensing. The fee here is provided for. If it is too much, in the judgment of this Legislature, that defect may be remedied; but that is the sole intention of this bill—that the public may be protected.

I know very little about the black market that has been described by the gentleman from Bingham (Mr. Dutton). It seems to me that is more a black market feature than it is in connection to this slaughterhouse bill. It is true this bill carries an appropriation of \$8,000 for two years, and that is not an un-

usual feature with any measure of this kind. I have discussed the matter with members of the Appropriation and Finance Committee, and I think there have been arrangements made to take care of it should this bill receive passage. There is, it is true, in Section 5 some provision for inspection of meat. Some years ago I had the privilege of spending quite a part of a day in the abattoir which is operated by E. W. Penley Company of Auburn. I was well acquainted with the inspector there. I was so impressed with what I saw that I became a firm believer in meat inspection. If you, the members of this Legislature, could see, as I saw, the conditions in an animal which was being slaughtered and, incidentally, which went into tankage, you would be firm believers in meat inspection too.

Unfortunately, there are many, many slaughterhouses operating in the State of Maine where meat has absolutely no inspection.

Now, if this were going to place a hardship upon the small fellow, as I term it, I would be the last man in the world to try to seek the passage of this bill; but I believe it will, in the final analysis, be a benefit to him. After his slaughterhouse is inspected, and has the sign of approval, the people know—he has the confidence of the people—and the people know that they are buying his product with perfect safety.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: I must, of course, first observe all the amenities. I have unbounded confidence in the Commissioner of Agriculture; I love the gentleman from Damariscotta, Mr. Denny, who introduced this bill, like a brother. I love every member of the Committee that passed on this bill, and everybody who is in favor of it; and I have great confidence in the Governor and Council. Now, I will discuss the bill. (Laughter)

In the first place, there has been a lot of talk about not being hurt by this bill. This is a health bill to protect the consumer of these meats.

Now, the only reason I am speaking on this bill is because it is so woefully inadequate. I would like to see a real, honest-to-goodness bill, where the State actually took

over the inspection of slaughterhouse and meat. This bill does not do it.

You divide the care and inspection in these matters into two parts: first, the place where the animal is slaughtered. There are, first, so many loopholes and exceptions in this bill, you could not only drive a yoke of oxen through it but you could drive a Mack truck through it. Every farmer keeping a slaughterhouse must have this inspection. So far as the inspection of the slaughterhouse is concerned, the thing is wide open. The second, and more important part, is not touched at all. The author of the bill says they have no intention of taking over the inspection of the animals which are in the slaughterhouse. To me, that is a vital part which should be taken over.

The gentleman from Rome, Mr. Downs, has just spoken about conditions he saw in an animal that was being slaughtered in an abattoir in Auburn; but this bill does not purport to touch that except with relation to the poor bona fide farmer." Section 7 says: "Any bona fide farmer or other person not operating a slaughterhouse as defined in this act, who sells, offers for sale, keeps with intent to sell, transports or gives away any carcass or part thereof, or any meat product, for human food that is not sound, healthful, wholesome and fit for human food according to the standards provided for in this act, shall be subject to the same penalties as provided for in the above paragraph." If he gets caught, he gets a penalty.

So far as I am concerned, if you are willing to take this bill and make an honest-to-goodness thorough-going inspection bill, I would be tickled to death to vote for it, but in its present condition I cannot see where it is of any benefit, and I think it is misleading and injurious.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunk, Mr. Sayward.

Mr. SAYWARD: Mr. Speaker, I think I would like to quote to the members of this House a few of the things that were presented to our committee.

In the first place, there are 190 slaughterhouses in the State, absolutely without regulation. I will quote several paragraphs from a

paper put out by Dr. J. F. Witter, Animal Pathologist of the University of Maine:

"Carcasses of animals otherwise fit for human food are grossly contaminated through filthy surroundings, equipment and flies, or may undergo spoilage because of inadequate refrigeration. Certain common types of bacteria under these conditions can produce toxins in the meat which are not destroyed by ordinary cooking and which are harmful to human health."

Now, this bill is solely for the protection of the health of our citizens.

Now the gentleman from Rome, Dr. Downs, is a veterinarian; and I do believe that he has given this a great deal of thought and a great deal of attention. I was very, very much interested in what he said. I cannot agree with my friend, the gentleman from Portland, Mr. Payson, that you could drive a Mack truck through this bill, because the meat that the farmer slaughters would have exactly the same inspection as the meat that is slaughtered in one of these 190 slaughterhouses. I will quote one or two other paragraphs:

"Traffic in unwholesome and contaminated local meats is extensive, and intimate knowledge of the details of such practices would awaken a feeling of repugnance in the mind of almost any consumer. Civic pride and public health responsibilities should motivate the consumer to see that proper steps are taken to solve this problem."

This is part of the report of an inspector; a doctor who is paid by this State, in the employ of the State, and from the State University of Maine.

"The licensing of slaughterhouses and meat processing establishments.

"The establishment of rules and regulations governing the sanitation of slaughterhouses and the wholesomeness of their products.

"The routine inspection of slaughterhouses and meat processing establishments by trained inspectors for the purpose of enforcing these rules and regulations."

That is exactly what this bill is for and exactly what it is intended to do—to put wholesome meat on our table.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Benton, Mr. Kent, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Benton, Mr. Kent.

Mr. KENT: Mr. Speaker and Members of the House: When this matter is all boiled down to one thing, it is to put everybody out of business who kills anything. When you come right to it, there is no farmer who kills anything, unless it is in terribly bad condition, but who is going to go according to the doctor's analysis of this thing. We farmers kill beef, and, as a rule that stuff is good. These butchers kill beef. But what about this bill? It is trying to put every one of these men out. When you put this into somebody else's hands you are going to hurt a great many people who are going to be looking after this thing.

Here is a whole group of people. We have all got different opinions, every one of us. Now, when you start an inspector out to inspect a slaughterhouse he has got a different opinion, and he is going to work on his opinion.

Another thing: A lot of people become cranks on these things. They are not really willing to let the man who is doing business get along if he is really trying to do the best he can.

Now, one of the regulations that the Health Department has put up now is that a man has to have running water in a slaughterhouse in order to slaughter. Now, how many farmers out back have got a place where they can have running water? They can lug some water and wash up and keep their meat clean and do these things. But you will always get somebody who insists on certain things. Let me give you an example:

One time in Benton, years ago, I was selectman, and there was a telephone call one morning from a lady at the station who wanted to know if I could not take her out to the town farm. I said, "Yes, I can go out, I guess." I went over and got the young woman and we went out to the town farm. It seems that she was inspector of town farms. So she looked over the town farm, and I was in there with her. I said, "These people are all dressed nicely, don't you think?" I said,

"The house is really clean and nice, isn't it?" I said. "I am kind of proud to have you come and look at this place and to see the people I have got here taking care of these people. There is one of the most wonderful women in the world; she will do anything for the sick and the distressed. She is a good cook. You saw what they had for dinner." "Yes," she says, "that is true." Then she says, "Where do you get your water?" I says, "From a well in the yard." She says, "I do not think you should be lugging water from a well in the yard for inmates of a place like this. You have not got any flush toilets in this place?" I said, "No." She said it was terrible. I said, "Young lady, I hauled you six miles out around here to get you to this town farm, and after we left that little village there is not one single person but who is lugging water from the pump in the yard, and there is not one of them that has got a flush toilet. Now, I am going to take you around ten or fifteen miles more and bring you back; and you will notice that every place we go by there is a pump in the yard, and you will notice they have not got running water in the house. Why should we give to these people more than we can afford for ourselves?"

And that is the way it will be in the inspection of slaughterhouses: you will have men come in there and they cannot see anything—only that everything is wrong—and they can put these fellows out of business, and they will do it. What they want to do is get that business for the big man. It is the big man who is back of it. It is not just these people who want health and general welfare.

Now, I want to tell you about this bob veal. People know about this bob veal and buy this bob veal. Why will they buy it? I have gone to a house with a nice cut of veal in my car. A woman will say, "How much is that veal?" I will say "It will cost you fourteen or sixteen cents a pound, something like that." She says, "I bought one for eight cents." I say: "I would like to see it." I go in and look at it, and I say, "That is not very good veal; you haven't got the meat that you have got on the other one. That is not the best meat, but there is nothing about it that will kill you."

There is a class of people that will buy bob veal, and the cheaper they can buy it the better they like it. But there is nothing there to kill you in bob veal. There have been hundreds of thousands of pounds of bob veal that have come down from Massachusetts by the carload, all killed and taken care of.

But this thing is simply to put the small man out of business. When they finally reach the point point where they have got control of everything in the country—that is what they are going to do and what they calculate to do.

I have seen little businesses in my town go out of business and the red fronts coming in there and taking the business away from them. And every time there is a business that goes up they will go after it the same as they go after this.

I was in a creamery the other day and there was a man in there who was supposed to be an engineer—that is what he called himself—from the Milk Control Board. I says, "You are all wrong in the way you inspect milk." And I said, "Every man can put in a certain class of milk into this creamery and it stands the test. What more do you want?" He says, "That wouldn't do." I said, "No, it would not do because you want all of the rest of these people to have their milk tested, so you can come into my place and inspect it." He says, "All we have got to do is put a piece in the paper saying 'Unsanitary conditions.' That is the way out of it."

I do not know as I ought to say so much. I do want to say this: When they are testing these cattle at the present time they go into everybody's barn, grab them by the nose and inject serum into them. They go up and down that barn and they go into another barn, and if there was any disease in that first barn they are sure to take it into some other barn. They tell about Bang's disease. If a man comes to my barn and tests my cattle and then goes to another barn, he is sure to carry it with him. Those inspectors would be the ones who would take more disease into the barn than anyone else.

I tell you there are a lot of these things. Here a few years ago they had hoof and mouth disease in

Massachusetts. One farmer wouldn't let the inspector go into his barn and inspect it. The inspector says, "I am going to let my engineer look at the cattle. If the cattle have not been inspected, I am going to put a big placard on the door and not let anybody come in."

There are a lot of these things that we are being abused by, and I think it is time we stopped it. I hope that the motion to indefinitely postpone this bill will prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brewer, Mr. Robinson.

Mr. ROBINSON: Mr. Speaker and Members of the 91st Legislature: I think, if we go home—or, putting it the other way, if we do pass this bill, it will be one of the most constructive things that the 91st Legislature has done.

I have been somewhat interested in meat inspection and slaughterhouse inspection, for some time, and would have introduced a bill of this nature if this one had not been presented. I attended the hearing on this bill, and was very much impressed by the testimony that I heard at that hearing testimony based on actual inspections by trained men such as Dr. Witter of the University of Maine, who is the Animal Pathologist there, and of our own Chief Inspector of food products.

It seems to me that we are rather exaggerating the restrictive controls that will be set up in this bill. I was born and brought up on a farm, and my daddy used to butcher in our own butcher house. I feel that I would be satisfied to eat the meat that was slaughtered in the slaughterhouse of the gentleman from Benton, Mr. Kent. This bill, however, goes much deeper than that. It goes as has been explained, to the slaughterhouses that are unsanitary.

Now, in regard to control, I think that most of us are very thankful, when we give our children milk, that there is a control; that that milk has been examined, and that we can give it to our child with the feeling that it is pure and will not bring sickness. I do not object at all to the fact that when I go in the drug store for a soda, the glasses have been inspected by our own State department and are properly sterilized. I do not object at

all, when I go to a great many different places where the food has been inspected by our own department. I am very thankful when I give my child medicine which I get at the drug store, that it has been examined by science and found to be pure. I am very thankful for that control.

It seems to me, Ladies and Gentleman of the House, that this bill deserves our consideration and deserves our support. We must go ahead on a constructive and scientific basis. We are living in the year 1943. We must accept these things, even if they do bring some slight control in our daily lives. It is all for the best. We know these things must be. We are in a terrible war. We want to be healthful and strong. That is one of the main features of the War Department and of the civilian morale: that we must keep ourselves at a high standard of physical fitness. I hesitate to disagree with my brother, the gentleman from Portland, Mr. Payson, in regard to this bill. It seems to me that it is a splendidly drawn bill. I see none of the enormous openings in it that he does. I see in it a great many places where great care has been taken to give a chance of an appeal to the Commissioner of Agriculture in Maine; and I am sure that we all have implicit faith in his honesty and fairness, and in the Department of Inspection.

I note on Page 2, Section 2 that: ". . . the licensee may present such evidence to the Commissioner as he deems fit, and after hearing all the testimony, the said commissioner shall decide as to whether the license shall be revoked or not."

That seems to me to be a very fair thing on both sides. Then follows an appeal to the Superior court, if he is not satisfied with that situation. That is all any man could ask; that is fair play.

Now, in regard to this section that my brother, the gentleman from Portland, Mr. Payson, mentioned: In Section 7, it states:

"Any bona fide farmer or other person not operating a slaughterhouse as defined in this act, who sells, offers for sale, keeps with intent to sell, transports or gives away any carcass of part thereof, or any meat product, for human food that is not sound, healthful, wholesome and fit for human food"—now lis-

ten to this, "that is not sound, healthful, wholesome and fit for human food according to the standards provided for in this act shall be subject to the same penalty. . ."

I bring that to your attention. Don't you think, with me, that if he does offer food that is not wholesome, not healthful and not fit for human food, that we should have some restrictions?

I am sure any farmer in this House would say that he should be under regulations if he did offer for sale such meat as that; and so I ask you, Ladies and Gentlemen, to support this bill with me. I believe it is good legislation and that we should be proud to go home after having passed this bill; and I hope the motion of the gentleman from Benton, Mr. Kent, will not prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Benton, Mr. Kent, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Bangor, Miss Clough.

Miss CLOUGH: Mr. Speaker and Members of the House: I cannot add anything to what has been said in support of this measure except this: The gentleman from Bingham, Mr. Dutton, has said that the proponents of this measure do not even live in the State. I am one of the proponents of this measure, and he can see my birth certificate at any time. Moreover, there have been seven generations on both sides of my family born and raised in this State. Now, whether or not that is a good thing, I cannot say. I am also a consumer, and I know something about the Maine Consumer Council which felt that this bill was so necessary that something must be done at this time. They have studied the subject for some two or three years and have brought into this Legislature a suggestion that a bill be put in by competent people, in order that it might be considered by the Legislators at this time, and take care of what they felt and what I feel is a very great need.

As a consumer, I think there is one thing that has not been brought out. I do not know how many of you men buy the meat for your families, but I do know how many

women buy meat for the families, and I do know this: That when they see side by side two pieces of meat, one labeled as western and one labeled as local, they are not going to buy the local beef so long as the western beef is there. And why? Because they know—they are educated now to know—that that western meat has been properly inspected, and those who raise and slaughter it and bring it into this State have done so under carefully regulated conditions. It would seem to me that the person who raises and slaughters and sells meat in this State must see that it is for his interest, and for his good as a salesman, that this meat be carefully slaughtered and carefully inspected, because if it is not, the consumers of this State are not going to buy it.

I hope that the motion of the gentleman from Benton, Mr. Kent, my seat-mate, will not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker, I certainly intended in my remarks to say that the "originators" of this measure live outside of the State. If I said the "supporters" of it, I would desire to have that corrected.

Just one thing that has been cited as a horrible proposition is the dressing of bob veal in the State of Maine. I do not question that at all; but I would like to say that the real true procedure in regard to the handling of bob veal in the State of Maine has not been brought forth. Nearly every Monday morning I think you will find from several stations in the State of Maine there are shipments of cattle to the Brighton Market, and in those shipments of cattle you will find bob veal. Before two weeks have passed after that bob veal has left the State of Maine, it is in your stores in the shape of deviled ham and deviled this and deviled that and deviled the other thing (laughter) and that is what we find—what we eat—our own bob veal, and we do not know it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunk, Mr. Sayward.

Mr. SAYWARD: Mr. Speaker, that is exactly what we want to do

—to knock the devil out of this meat, so we will have it purely angelic.

Mr. Kent was granted permission to address the House for the third time.

Mr. KENT: Mr. Speaker, I am much obliged to you members anyway. You know it is a funny thing, but I wonder who is going to inspect all the farmers who kill the beef; and I wonder who is going to inspect these 190 slaughterhouses, and inspect every beef that is killed and every calf that is killed and every hog that is killed and every hen that is killed! I wonder what is going to happen in the end? We are going to have some inspectors and when they get all through with that \$8,000, it is going to look awful sick, and they will want another \$8,000 to carry on with, and then we will be \$16,000 in the hole.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Benton, Mr. Kent, that Bill "An Act relating to Slaughterhouses" (H. P. 1353) (L. D. 894) be indefinitely postponed. Is this the pleasure of the House? All those in favor of the indefinite postponement of the bill will say aye; those opposed no.

A viva voce voted being doubted,

A division of the House was had.

Twenty-seven having voted in the affirmative and 66 in the negative, the motion failed of passage.

Thereupon, the bill had its third reading.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, on this bill, L. D. 894, Bill "An Act relating to Slaughterhouses" I would offer House Amendment "A", which relates to Section 2 of the bill, and I move its adoption.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Maxwell, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

House Amendment "A" to H. P. 1353, L. D. 894, Bill, "An Act Relating to Slaughterhouses."

Section 2 of said bill is hereby amended by striking out the last sentence of said section 2 and inserting in place thereof the following:

"Any licensee who is aggrieved by the decision of the commissioner may within 10 days thereafter appeal to any justice of the superior court, by presenting to him a petition therefor, in term time or vacation. Such justice shall fix a time and place for hearing, which may be in term time or vacation, and cause notice thereof to be given to the said commissioner; and after hearing such justice may affirm or reverse the decision of said commissioner and the decision of such justice shall be final. Pending judgment of such justice, the decision of such commissioner shall remain in full force and effect. The commissioner shall, within 3 days after notice of such appeal, forward to such justice a certified copy of the proceedings."

The SPEAKER pro tem: The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I move that the bill lie on the table until this afternoon, for the purpose of preparing an amendment.

The SPEAKER pro tem: The gentleman from Clifton, Mr. Williams, moves that the bill lie on the table pending passage to be engrossed, and be specially assigned for this afternoon. All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill was so tabled and so assigned.

Passed to Be Engrossed (Continued)

Resolve reimbursing the town of Trescott for Bounty Paid to Vincent Foley (H. P. 531) (L. D. 899)

Resolve in favor of the town of Newry for Bounty Paid (H. P. 1084) (L. D. 900)

Resolve in favor of Leland Andrews of Hartford (H. P. 1359) (L. D. 901)

Resolve Providing for the Payment of Crop Damages Caused by Protected Wild Animals (H. P. 1360) (L. D. 902)

Resolve providing for the Payment of Certain Damages Caused by Protected Wild Animals (H. P. 1361) (L. D. 903)

Bill "An Act relating to the Salary of the Recorder of Bath Municipal Court" (H. P. 342) (L. D. 202)

Were reported by the Committee on Bills in the Third Reading, Bill read the third time, Resolves read the second time, all passed to be engrossed and sent to the Senate.

At this point Speaker Richardson resumed the Chair, and the Sergeant-at-Arms conducted Mr. Doughty of Gray to his seat on the floor, amid the applause of the House, the members rising.

Passed to Be Enacted

An Act relating to Loss of Membership in Indian Tribes by Marriage (S. P. 89) (L. D. 16)

An Act relating to Membership in Farm Lands Loan Commission (S. P. 197) (L. D. 280)

An Act relating to the Report of the State Auditor (S. P. 184) (L. D. 270)

An Act Revising the State Library Laws (S. P. 242) (L. D. 362)

An Act Granting Increase in Salary to County Attorney of Oxford County (S. P. 265) (L. D. 471)

An Act relating to the Salary of the Sheriff of Hancock County (S. P. 266) (L. D. 472)

An Act relating to the Salaries of Clerks in the Offices of Register of Deeds, Register of Probate and Clerk of Courts in Piscataquis County (S. P. 305) (L. D. 473)

An Act relating to the Terms of County Commissioners (S. P. 391) (L. D. 681)

An Act relating to the Salary of the Commissioner of Agriculture (S. P. 397) (L. D. 675)

An Act relating to Jurisdiction of Municipal Courts in Criminal and Juvenile Cases (S. P. 431) (L. D. 748)

An Act Providing for Experience Rating under Unemployment Compensation Law (S. P. 459) (L. D. 807)

An Act relating to Medical Examiners (S. P. 460) (L. D. 823)

An Act Permitting Bowling on Sunday (S. P. 464) (L. D. 828)

An Act relating to Refunding of Washington County Bonds (S. P. 469) (L. D. 850)

An Act relating to the Salaries of the Members of the State Highway Commission (S. P. 470) (L. D. 849)

An Act relating to Expenses of Maintaining County Roads (S. P. 471) (L. D. 851)

An Act relating to Notices of Changes of Locations of Certain Highways (S. P. 472) (L. D. 853)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactors Tabled

An Act relating to Conscious Suffering Preceding Death (S. P. 473) (L. D. 854)

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, there is an amendment necessary to clarify this bill. I therefore move that it lie on the table until our next session.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, moves that L. D. 854 be laid on the table. Is this the pleasure of the House?

The motion prevailed, and the bill was tabled pending passage to be enacted.

An Act relating to the Retirement System for State Police (S. P. 474) (L. D. 852)

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Miss Bangs.

Miss BANGS: Mr. Speaker, in order to offer an amendment to correct the situation, and in order not to delay the process of these enactors, I move to table Item 19 until this afternoon.

The SPEAKER: The gentlewoman from Brunswick, Miss Bangs, moves that L. D. 852 be tabled until this afternoon. Is this the pleasure of the House?

The motion prevailed, and the bill was tabled pending passage to be enacted and specially assigned for this afternoon.

Passed to be Enacted

(Continued)

An Act relating to Buyers and Sellers of Milk and Cream (S. P. 476) (L. D. 860)

An Act Amending "An Act to Create the Port of Portland Authority" as amended (S. P. 477) (L. D. 859)

An Act relating to the Salary of Various Officers of Waldo County (S. P. 478) (L. D. 861)

An Act relating to Attached Mortgaged Property (S. P. 479) (L. D. 868)

An Act relating to Compensation for Personal Injury to Employees (S. P. 480) (L. D. 869)

An Act Granting Increase in Salary to Judge of Probate of Piscataquis County (S. P. 481) (L. D. 867)

An Act relating to the Municipal Court of the Town of Farmington (S. P. 482) (L. D. 879)

An Act Exempting Certain Property of Agricultural Societies, and Farmers from the Regulations in re Motor Vehicles Used in Intrastate Traffic (H. P. 108) (L. D. 68)

An Act Appropriating Money for the State Soil Conservation Law (H. P. 125) (L. D. 105)

An Act Increasing the Compensation of Members of the Board of Registration of Voters (H. P. 344) (L. D. 201)

An Act to Clarify and Improve the Administration of the Liquor Laws (H. P. 586) (L. D. 352)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor Indefinitely Postponed

An Act Authorizing the Department of Health and Welfare to Regulate Public and Private Institutions (H. P. 823) (L. D. 377)

The SPEAKER: The Chair recognizes the gentleman from Bangor, Miss Clough.

Miss CLOUGH: Mr. Speaker, in asking for the indefinite postponement of this item I will say briefly that while I am not one to lightly kill that which is my own, I understand that this measure is not properly drawn, and would require a great deal of amendment to accomplish the purpose which was sought in presenting the bill; and, because there is plenty of law already on the book to accomplish the purpose of this proposal, I now make my motion to indefinitely postpone Legislative Document 377.

The SPEAKER: The gentleman from Bangor, Miss Clough, moves the indefinite postponement of L. D. 377, Bill "An Act Authorizing the Department of Health and

Welfare to Regulate Public and Private Institutions." Is this the pleasure of the House?

Thereupon, the motion prevailed, and the bill was indefinitely postponed and sent up for concurrence.

Passed to Be Enacted (Continued)

An Act relating to Permit for Cattle Entering the State (H. P. 921) (L. D. 475)

An Act relating to Proceedings in the Probate Court—Birth Records of Children Proposed for Adoption (H. P. 940) (L. D. 542)

An Act relating to Retirement of Justices of the Supreme Judicial and Superior Court (H. P. 947) (L. D. 539)

An Act relating to the Appointment of Guardians of Persons Resident out of the State (H. P. 1115) (L. D. 580)

An Act relating to City Ordinances on Licenses for Cinematograph, Moving Pictures and Operators (H. P. 1136) (L. D. 600)

An Act relating to Automobile Travel by State Employees (H. P. 1186) (L. D. 663)

An Act relating to the Hunting and Trapping of Foxes (H. P. 1240) (L. D. 739)

An Act relating to the Maine Development Commission and the State Geologist (H. P. 1266) (L. D. 775)

An Act relating to Employees in Military Service (H. P. 1269) (L. D. 780)

An Act relating to Mutual Fire-Insurance Companies (H. P. 1273) (L. D. 779)

An Act relating to Membership in the Jointly-Contributory Retirement System for State Employees, Except Teachers (H. P. 1286) (L. D. 809)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactors Tabled

An Act relative to Enforcing the Collection of Real Estate Taxes by the Alternative Method (H. P. 1291) (L. D. 814)

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, in order to correct an error in this bill, I would like to have it lie on the table for amendment.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, moves that L. D. 814 be laid on the table. Is this the pleasure of the House?

The motion prevailed, and the bill was tabled pending passage to be enacted.

An Act Providing for the Licensing and Regulation of the Amusement known as Five-in-a-Row (H. P. 1303) (L. D. 834).

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Miss Clough.

Miss CLOUGH: Mr. Speaker, for the purpose of offering an amendment I move that H. P. 1303, L. D. 834, lie on the table and be specially assigned for this afternoon.

The SPEAKER: The gentlewoman from Bangor, Miss Clough, moves that L. D. 834 lie on the table and be specially assigned for this afternoon. Is this the pleasure of the House?

(Cries of "No, no.")

The SPEAKER: All those in favor of tabling and specially assigning for this afternoon will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

Fifty-three having voted in the affirmative and 40 in the negative, the motion prevailed, and the bill was so tabled and so assigned.

Passed to be Enacted (Continued)

An Act relating to Bonds to be Furnished by State Officials and Employees (H. P. 1304) (L. D. 832)

An Act relating to the Choice of Assessors and Compensation of Town Officers (H. P. 1312)

An Act relating to Conduct of Persons who have Communicable Diseases (H. P. 1317) (L. D. 844)

An Act relating to Salaries of Androscoggin County Clerks (H. P. 1318) (L. D. 855)

An Act relating to Membership of Persons Employed in the Federal Employment Service in the Jointly-Contributory Retirement System for State Employees (H. P. 1321) (L. D. 862)

An Act relating to Claims and Actions Against Executors and Administrators (H. P. 1323) (L. D. 864)

An Act relating to the Limitations on Sales by Licensees of Liquor, Malt Liquor, Wines, and Spirits (H. P. 1324) (L. D. 865)

An Act relating to Judges of Municipal Courts not to Act as Counsel (H. P. 1332) (L. D. 870)

An Act relating to Suspension of Licenses for Eating Places, Etc. (H. P. 1333) (L. D. 871)

An Act Permitting the State to Render Aid in Organized and Unorganized Territory (H. P. 1334) (L. D. 872)

An Act to Incorporate the Patten Water and Power Company (H. P. 1335) (L. D. 873)

An Act relating to Lands Owned by the State (H. P. 1336) (L. D. 874)

An Act relating to the Policing of State Parks, and Acceptance of Gifts for Improvement of State Parks (H. P. 1339) (L. D. 875)

An Act relating to the Milk Control Board (H. P. 1340) (L. D. 876)

An Act relating to Rebate of Registration Fees on Motor Vehicles Taken by Eminent Domain (H. P. 1344) (L. D. 883)

An Act to Incorporate the Vanceboro Water Company (H. P. 1345) (L. D. 884)

Finally Passed

Resolve Authorizing Conveyance of the Interest of the State in Certain Land in Township Big W, N. B. K. P. in Somerset County (S. P. 203) (L. D. 282)

Resolve Creating an Interim Committee to Study the Tribal Rights and Needs of the Indians (S. P. 416) (L. D. 724)

Resolve Closing Cobbossee Stream and Tributaries to Muskrat Trapping (H. P. 321)

Resolve Authorizing the Forest Commissioner to Convey Certain Land to Enos Drumm, of Thomaston, Connecticut (H. P. 330) (L. D. 198)

Resolve in favor of the town of Bethel (H. P. 1083) (L. D. 858)

Resolve Authorizing the Sale of T 1, R. 13, W. E. L. S., Piscataquis County (H. P. 1337) (L. D. 877)

Resolve Granting Authority to the Forest Commissioner to Cancel Deed Erroneously Recorded (H. P. 1338) (L. D. 878)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, resolves finally passed, all signed by the Speaker and sent to the Senate.

Constitutional Amendment

Resolve, Proposing an Amendment to the Constitution to Limit to Highway Purposes the Use of Revenues Derived from the Taxation of Vehicles Used on the Public Highways, and Fuels Used for Propulsion of Such Vehicles (S. P. 233) (L. D. 339)

The SPEAKER: This being a constitutional amendment, requires for its passage the affirmative vote of two-thirds of the membership of the House present.

The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker and Members of the House: We argued this bill the other day but there are several items which I think many people are not aware of which I want to bring to your attention at this time.

When you speak of highway funds, this bill means that and that alone. If any city or town, I understand, licenses taxicabs, that revenue will have to go into the highway fund. I doubt, under this bill, that you could even maintain your State Police. I doubt, under it, that you could even maintain your registration office. I noticed on the calendar the other day a Resolve in Favor of Katahdin National Park whereby money was given, and this money is to be expended over private lands.

Now, I say to the members of this House that if you vote for this constitutional amendment I sincerely believe that when you go home, and the people find out what it does actually mean, you are going to have a lot more explaining to do than if you vote against it, and, Mr. Speaker, I move the indefinite postponement of this bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Presque

Isle, (Mr. Brewer) for the indefinite postponement of Legislative Document 339.

The Chair recognizes the gentleman from Rangeley, Mr. True.

Mr. TRUE: Mr. Speaker and Members of the House: I believe this to be one of the most important resolves that has been before this House during this session, and that it concerns all the people of the State.

Now, Maine, with sixty-two per cent of its towns without railway connections, and with a population of a little over 800,000, about the same as that of the City of Boston, Maine, having nearly twenty-three thousand miles of road, you can readily see that Maine needs and must have Federal Aid; in comparison, Massachusetts, with over four million people has only seven-thousand miles of road.

Now, we would all like to see Maine have super-highways over the length and breadth of our fair State, but the Federal government must come to our aid. They must furnish a great deal of the money.

I believe it is the desire and the intent of the Federal government to build super-highways all over the length and breadth of our whole United States; but believing that the Federal government frowns on states which may divert their gas tax monies to other channels, would not it be well for Maine to get in line with other states which have done so?

As you all know, fourteen other states have passed legislation to prevent diversion of the highway money. Now, those states cannot be foolish. They know what they are doing.

The opponents of this bill tell you that the sponsors of this bill have selfish motives. Now, you do not believe the Maine State Grange, the Rural Letter Carriers, the Maine Hotel Men's Association, and many automobile associations have any axe to grind in this matter. You know what they want are good roads. That is what we all want, and we want to be assured that there will not be any diversion of the monies paid in—in gas tax monies, and other sources where the money is supposed to come from.

They also tell you that we have got laws enough. Well, in a way that is true, but a small group of legislators can change a statute law as easily as the tide ebbs and flows, but a Constitutional law must be changed by the people. They tell you that we must not have any amendments to our Constitution, but when the wise men made the suggestion or wrote the Constitution of the United States, and of the several sovereign states, they made it flexible; they knew that times would change. Fifty years ago, we would not want any gas tax money in our Constitution, because we did not have any gas. As times change, we need new laws; that is why they made the Constitution flexible.

Since the Constitution of the State of Maine was written, we have added 61 amendment—that means one very three years. Across the hall, in this building sits the Honorable Senate. They passed this enactment with a large majority. Those people do not—

The SPEAKER: The gentleman must not refer to the action of the Senate.

Mr. TRUE: I am sorry, Mr. Speaker. I say to you, ladies and gentlemen, if we do not pass this enactment by a two-thirds vote, and give the people a right to vote on this amendment, we are defeating the very thing we have always fought for, and still are fighting for, a government of the people, by the people, and for the people. That is obviously the way it looks to me.

On the floor of this House you were told that there are fifty thousand of our boys in the armed forces. That is true. Every day and every night we pray that this horrible war will be over and that our boys will be home again with us. They, too, may like to vote on this amendment; and when they come home they will be driving automobiles, the birds will be singing, and we will all start living again.

You would not deprive them of this privilege to vote. You will not let them down.

Mr. Speaker, I ask for a yea and nay vote.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Barnes.

Mr. BARNES: Mr. Speaker and Members of the House: I think it is significant that the motion to

indefinitely postpone this amendment comes from a member of this House who lives in Aroostook County, because I guess probably we have made more of a holler for good roads up in that county than they have anywhere else in the State. If this were a question of statute relative to diversion of highway funds, I would be one of the hardest fighters in this House against the change, but this bill asks for an amendment to the Constitution.

Now, every member of this House, including the new members, has been presented with a gift of the Revised Statutes of the State of Maine, a large volume approximately five inches thick, consisting of a thousand pages. The Constitution of Maine takes up perhaps twenty pages at the beginning of that volume, and the rest of its statute law. Now, I heard the Constitution likened to the structural steel part of a building, with the statutes referred to as the rest of the building. I would prefer to refer to the Constitution as the skeleton of a living body, and it seems to me, if we pass this amendment, it will be like adding an extra fibre to the Constitution. It is a matter of statute law; it is a matter that should not clutter up our Constitution because, if we pass this amendment, we say that highways are one of the most important things we have in this State. I say to you we have a great many other things in this state that are important; for instance, education and public health, to name two of the most important. We do not put those in the Constitution; we put those in the statute where they belong.

Now, it has been said that we have received letters from a great many organizations throughout the State of Maine. That is true, but I do not intend to go fully into that discussion. I believe there are interested groups, and I believe, if they had a full understanding of this problem, they might not be insisting so much upon it.

So far as my own constituents are concerned, I have been approached by two men, one of whom is manager for one of the large gasoline companies in my county, and the other, one of the owners and the manager of one of the largest automotive wholesale and retail concerns north of Bangor. I explained this to those gentlemen and they agreed that this was no place for this thing, in the Constitution of the

State of Maine. If you want to enact all of your laws into the Constitution, you will not have any more Revised Statutes. That volume that you have, which is five inches thick, and weighs six to eight pounds, will be all the Constitution. The Constitution is the framework of our government; the Statutes are the blood, muscles and sinews, and it is in that part that this matter belongs and not in the Constitution.

I hope the motion of the gentleman from Presque Isle (Mr. Brewer) for indefinite postponement of this bill, which I feel is a very unwise bill, will prevail.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: The gentleman from Rangeley (Mr. True) stated that fourteen states, I think he said, had legislation preventing diversion of the highway funds. I think that is good legislation, and we in Maine have such legislation at the present time, but if this constitutional amendment were adopted, legislation would have nothing to do with it. He says the constitutional law must be changed by the people. We have to remember that twelve votes could prevent that change. I think the gentleman was arguing for a democratic form of government rather than a representative. We have in Maine a representative government, and I hope we will continue to have it. I hope the motion for indefinite postponement will prevail.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Braley.

Mr. BRALEY: Mr. Speaker and Fellow Members: I think without any doubt the people who elected us here of course gave us a majority vote. They had confidence in us, and I think we should turn around and show our confidence in them. That is all this bill is—to give the people a right to vote in the form of a referendum.

The State of Maine has \$214,000,000 tied up in highways and bridges throughout the State of Maine, and as the gentleman from Rangeley, Mr. True, has stated, there are over 1000 communities in this State that have no rail facilities, and that is approximately 62 1-2 percent of the communities in our State. We have to pay every year

over \$2,000,000, in fact, \$2,830,000, in bonds alone. Now this is 48 percent of the money taken in every year from highway sources, highway revenues, to pay off bonds.

Now we in the State of Maine depend upon our tourists for much of our livelihood. The farmers and the camps throughout the State depend on tourists coming into this State, and we want them to have good roads to travel over. We cannot expect this, I believe, if we divert our highway money to other sources.

It was only back in 1940, I believe, that the State passed the unpopular motor title law. However, it was struck off the statute books at the next legislative session; but that money that was taken in approximately \$140,000, did not go to the road fund, but it did go to the State general fund. We have an example right there where money was diverted to other sources rather than to the highway fund where it belongs. I think that we, as members of this Legislature, will do a fine thing if we, as members, elected by a popular vote, give the people that gave us the right to come here, a chance to vote on this.

I was going to say, and I will say, that I will stand upon that rostrum, if I am re-elected, and this bill goes through—that the people will vote for this at least two to one; and if they don't, I will stand upon that rostrum the night we have our caucus and eat my shirt. (Laughter)

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker and Members of the House: The question involved here is not so much a question of what the bill contains as whether you are going to be dictated to by a paid lobby, or whether you are not.

Along the line of the suggestion of the motion of the gentleman from Rangeley (Mr. True) that the vote be taken by the yeas and nays, I want to tell you what that means.

You all appreciate the fact that I am not a bit hesitant in having the people of the State of Maine know how I stand on this issue. How can I describe a yea and nay vote? I say it is the maximum of pressure politics designed to stampe and intimidate the Legisla-

ture, and force them into unconsidered action through a threat of reprisal at the polls. I hope when the question of the yea and nay vote comes along you will oppose that in the beginning. This is purely a matter of a hired lobby trying to put something over on the State of Maine. If the thing could continue for two or three days more, I will venture that the telephone and telegraph companies in the State could declare a special dividend; and I am sure that the members who feel real pressure is being put upon them will vote "No," because the idea is cockeyed from the word "go."

I hope, and I am sure, that the group that stood with us a few days ago will at least stand pat, so we shall not allow any ill-conceived, yes, wicked, legislation to take place in the State of Maine. If you should pass this bill and the ballot should be rigged up when the time comes to vote, the question would be: Do you desire to amend the Constitution and so forth, and you are to answer "Yes" or No," and a lot of voters do not understand a great deal about a referendum on a bill and they will vote "Yes."

I will agree with the gentleman from Augusta, Mr. Braley, that it will probably go through if you get it on the ballot. The point is: We do not want to be responsible for any such unsound situation in the State of Maine.

I have tried so far to escape duplication of the things I said a few days ago. I guess I will repeat just for a second that item having to do with this so-called diversion of \$800,000. Again I tell you, that was a pressure time; it was a time when the effort to take care of our aged people had been killed in the State of Maine, and it was quite necessary that the money be borrowed from some source for that purpose. At the time it was only borrowed, and it met with the approval of the authorities under that famous Hayden-Cartwright Act in Washington. At the time of that diversion, however, if the authorities under the Hayden-Cartwright Act in Washington had not agreed to it, it could not have been put over. They agreed it was perfectly proper that the money should be used from highway purposes.

As I have said before, this is all now set up under statute, and I see

no reason for considering anything else. I hope you will go along in the attempt to beat this foolish idea.

The SPEAKER: The question before the House is on the motion of the gentleman from Presque Isle, Mr. Brewer, for indefinite postponement.

The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: As this was one of the most important bills referred to the Ways and Bridges Committee at this session, I assume that the members of this House are entitled to some explanation relative to the facts on which I based my information in signing the majority report.

This bill received a fair hearing, properly advertised and well attended. The opponents were few, but the proponents were many, and they were supported in the recommendation by, as has been said, eighteen or nineteen organizations throughout the State. I do not attempt to convince you that each and every member of those organizations is in favor of this act, but I do believe the majority of those members must have been in favor, or those organizations would not have been represented. It does not necessarily require the consent of each and every member of any organization or society in order that they may pass resolutions of recommendations. It does not necessarily require the consent of each and every member of this body in order that we may pass orders and resolutions and resolves; but it does in most cases take a majority, and we live in a democracy where majority rules.

The second fact that I would like to call to your attention is the issue here involved. In that respect, I would like to clarify my position relative thereto. The issue, in my opinion, is not a question of whether or not the members of the Legislature are in favor of this amendment, but it is a question of whether or not the people of the State of Maine shall be allowed to express their desire by voting upon this amendment, and I believe they should receive that privilege. Why should they not? It will be the same people who elected our Governor; it will be the same people who in the past have acted upon other

amendments; it will be the same people who elected you and me to represent them in this Legislature upon matters and decisions over which they have no control, but when the opportunity presents itself I believe they should have the privilege of expressing their desires themselves.

The third fact that I would call to your attention is a fact I have noticed within the last ten days. You have all received many communications relative to this subject. They have come by telephone, telegram and letters; but there have been a few received from people who are closely connected with the federal funds in Washington. And what is the significance of this? My answer is this: That sometime, some day in the near future, the Federal government will require that each and every state that receives its due and proportional part of the Federal funds must safeguard those funds by a constitutional amendment.

It became my duty to make a decision and to sign a report. If the people of this State are allowed to, it will become their duty to form an opinion and make a decision, and upon that decision I am ready and willing to rest.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Leavitt.

Mr. LEAVITT: Mr. Speaker, I do not agree with my friend, the gentleman from Addison, Mr. Lackee, that we should allow the people of the State of Maine to decide this question; without our first approving it ourselves. When this Legislature votes by a two-thirds vote to let the people of the State of Maine vote on it, they are telling the people of the State of Maine that we ourselves approve this legislation; we think it is fine legislation; and we want the people of the State of Maine to know whether we think it is a fine piece of legislation, and we wish them to give us their endorsement to our action.

Now, this Legislature should stand on its own feet and vote the way it feels is the best for the State of Maine, and then if we defend it here we have simply told the State of Maine that we think it is good legislation and we want them to

o. k. our decision. I personally feel it is poor legislation and I shall vote against it.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, it seems there is some misconception as to just what this resolve means, and, to correct that misapprehension, I think it might be wise to read some parts of the resolve. I have reference to the remarks made by the gentleman from Presque Isle, Mr. Brewer in which he stated that the money would not be used for certain purposes, such as enforcing traffic laws. The law expressly states this in that respect: "All revenue derived from fees, excise and license taxes relating to registration operation and use of vehicles on public highways *** shall be expended solely for cost of administration, **** —and winds up by saying "under the direction and supervision of a state department having jurisdiction over such highways and bridges and expense for state enforcement of traffic laws and shall not be diverted for any purpose, ****

And there is another misapprehension in regard to the taxes on automobiles which are collected by the cities and towns. The last sentence, of the last phrase, more properly speaking, says this: "provided that these limitations shall not apply to revenue from an excise tax on motor vehicles imposed in lieu of personal property tax." This means that the taxes imposed by the city and the state, and county taxes that are collected when you register your automobile, stay right where they are paid.

Now another matter that has been called to your attention is to the effect that the Constitution is merely a framework. I heartily agree with that statement, but I believe you will find it has been the policy of the State of Maine, the people of the State, to place certain safeguards in that Constitution for their own protection against certain legislation, I do not believe, and I never have believed to this day, that the prohibitory law that we had for so many years belonged in the Constitution, but the people in their wisdom saw fit to put it in there. Now their policy seems to have been for several years, beginning, I believe, with 1912, to place in the Con-

stitution certain safeguards and requirements regarding the construction and maintenance and carrying on of highways and bridges. I checked up on the number of amendments in the Constitution which relate to just that one subject, and, much to my amazement, there were nine amendments. The first one, in 1912, was the two million dollar bond issue, which is Article XXXV. The next one came a few years later, in regard to bond issue for public wharves and adequate port facilities. That is Article XLI. The next one was Article XLIII which relates to bond issue for state highways and intrastate, interstate and international bridges. Article XLI—I am wrong there—that has to do with the fund for soldiers' bonus. Article XLVIII has to do with bond issue for the construction of a bridge between Bath and Woolwich. Article XLIX has to do with additional bond issue for the construction of state highways and interstate, intrastate and international bridges. Article LI provides for the financing of the bridge across the Penobscot River. Article LII is another issue of highway and bridge bonds. Article LIII has to do with building a bridge across the Penobscot River, to be known as Waldo-Hancock Bridge.

So I merely mention this to point out it has been the policy of the State to place in the Constitution these various articles to safeguard and protect and promote the maintenance of highways.

There is one more thing I wish to add and that is this: that the gasoline tax of four cents on a gallon in this State, I believe, and the licenses or registration of automobiles and operators licenses, are earmarked for certain purposes, and that is for highways. The people have guarded that very jealously. That will be borne out by the fact that there have been attempts in recent Legislatures to add more gasoline taxes, and each time it went to the people it was overwhelmingly rejected because of the fact those additional taxes, as I recall it, were to be used for some other purposes than on the highway.

Therefore, I think it is evident that we should give them opportunity to pass upon this resolve, and speak again if they wish as to whether they would like to have this

money collected from those various sources to be used for one purpose only—and that is on the highway.

Therefore, I hope that the motion that the gentleman from Presque Isle, Mr. Brewer, has made, to indefinitely postpone this resolve, will not prevail.

The SPEAKER: At this time the Chair recognizes the presence at the rear of the hall of the distinguished President of the Senate, Honorable Horace A. Hildreth, and requests the Sergeant-at-Arms to conduct him to the rostrum.

Thereupon, the Hon. Horace A. Hildreth, President of the Senate, was escorted to the rostrum by the Sergeant-at-Arms, amid the applause of the House, the members rising.

The SPEAKER: The question before the house is on the motion of the gentleman from Presque Isle, Mr. Brewer, for indefinite postponement.

The Chair recognizes the gentleman from Millinocket, Mr. Ward.

Mr. WARD: Mr. Speaker and Members of the House: My brother from Houlton, Mr. Barnes, suggests that if it is proper to place this matter in the Constitution, that it is also proper to place into the Constitution our laws relating to education and to public health; and I would be in perfect agreement with the gentleman from Houlton, Mr. Barnes, if our educational program or if our public health program were dependent upon Federal funds, and if we were to run the risk of losing those funds in the event that certain public health or educational funds were diverted.

Now, it has been suggested to this House that in the event this resolution is submitted to the people, some rigged up question will appear upon the ballot. The question which will appear upon the ballot is set forth in the resolution itself. It reads: "Shall the Constitution be amended as proposed by a resolve of the Legislature limiting to highway purposes the use of revenues derived from the taxation of vehicles used on the public highways and fuel used for propulsion of such vehicles?"

When I first heard this matter discussed, I decided that I would refresh my own memory as to what has actually taken place today.

I find that this initiated act of 1936, after being adopted by a popular vote of 3½ to 1, was made a law on October 24, 1936. On January 7, less than three months later, an incoming Governor, delivering his inaugural message to the Legislature, very frankly pointed out that up until that date nothing had been done to put this law into effect, and, continuing on the subject, he said, —and I am going to quote from the record—“However, I believe it is better to amend the law, if deemed advisable, rather than to continue to ignore it.”

He then went on to urge the immediate passage of legislation, and urged that the emergency clause be used, and he concluded on this subject by saying: “To do this in the face of the recent popular vote requires independent action upon your part.”

Now, to carry out the Governor's wishes, back in 1937 a bill was introduced, by unanimous consent out of order and under suspension of the rules, without being printed, without a hearing, and without reference to any committee. It was given its several readings and passed to be engrossed. It became a law on February 11th, and the Governor immediately signed it, and it became Chapter 1 of the Public Laws of 1937.

Now, if you have occasion to look up the initiated act and the amendment, the irony of it is that you find the amendment in the front of the book, and you find the act itself way over in the back.

It occurs to me that if a Governor, an incoming Governor, in the face of such a popular vote would enact legislation with such dispatch as to immediately take out half the bite that was in the initiated act, it could be done again; and I submit that if a Legislature were to enact a law repealing the other half of that act, a lot of water could go over Boulder Dam, and a lot of highway funds could be diverted, before the people of this State could get their machinery going to put that law back on the books.

Now, since the act itself was enacted, there have been at least two occasions where there have been laws enacted in contravention or in circumvention of the act. Mr. Murchie has made reference to an Act entitled “An Act providing for Joint Participation between the

State and its Municipalities.” That was an act where \$1,600,000 was taken from the highway funds and distributed among various cities and towns of this State; and there is no question but what the law was enacted for a worthy purpose, and no doubt it was an emergency.

That same 89th Legislature also enacted another law, the so-called “Title Law,” which had to do with the registration of your motor vehicle. It provided that you had to prove title to your car before you could register it. The law was subsequently repealed. However, the Act itself specifically provided that “all funds derived from the operation of this Act shall be first applied to cover the administration cost of the act, and the balance thereof shall be paid into the general funds of the State.” I am told approximately \$114,000 was paid into the general funds of the state under the operation of that act, and that time could be termed an emergency.

Now, let us look at the amendment of 1937. It provides that funds may be used for other appropriations, but only those for which anticipated income has been received, for which financial provision has been made by the Legislature, and is forthcoming.

Anticipated income—what is it? A farmer in the fall of the year takes two carloads of potatoes and puts them into the potato house, anticipating that around January 1st he is going to sell those for \$2.50 or \$3.00 a barrel. On the strength of that fact he goes to the bank and borrows \$2,000. If he sells his potatoes in January for the price he expected to receive, he pays the note. On the other hand, if he sells those potatoes for \$1.00 or \$1.25 a barrel he has insufficient funds, and his note, at least, is going to be partially in default.

I call your attention to the Budget Report which was submitted to this Legislature. On Page 8, we have liquor revenue, \$4,840,500, that report being made up in November or December. In the latter part of January a late revision added \$259,500 to the liquor revenue. Now about April 1st, we are told that there is additional liquor revenue of about \$500,000. That is anticipated income under this amendment. I say to you that if we have a given source of

revenue which can skyrocket three quarters of a million dollars in four months' time, that same given source of revenue can hit a toboggan in the same length of time. If that happens, the State of Maine finds itself in the same position as the gentleman who had to sell his potatoes for a dollar a barrel, and finds itself in default with the general highway funds; and the State of Maine in that situation is very apt to lose all of its Federal Aid road money.

I hope the motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Fal-mouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: When the time comes, if it comes, that the Federal government says to the State of Maine "We are allocating certain monies for road purposes but in order to receive them you must change your Constitution." I hope the answer will be "The communication received and placed on file." (Laughter)

The SPEAKER: The question before the House is on the motion of the gentleman from Presque Isle, Mr. Brewer, for indefinite postponement.

The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, I will say, as time goes on, that more people will be interested in airports than they are in roads. I believe that is the coming thing.

When we take this vote, I ask for a division of the House.

The SPEAKER: The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: May I have the privilege of facing the House?

The SPEAKER: The gentleman may face the House.

Mr. WILLIAMS: Mr. Speaker and Members of this Legislature: The question before the House today appears to be whether or not we trust the citizens of the State of Maine, the same citizens who elected us to represent them here. I believe, frankly, that the people of Maine wish a chance to vote upon this amendment.

I suppose, in taking that stand, I would be classed with those peo-

ple whom the gentleman here has mentioned—that I have been touched or reached by that enormous lobby, which wishes to put this amendment through.

I think we all recognize that there is an organized group which wishes to put this amendment before the people of Maine to vote on. It seems to me that at this particular time, an organized group represents the wishes of the people of the State of Maine, and I have some reasons for feeling that way on this question.

A week ago Saturday, I attended rather a large Grange meeting in my own County of Penobscot. At that meeting, a resolution, which I suppose had been forwarded to that group by one of these groups which is so interested in having this amendment passed, was read in that meeting. Then some good member of that Grange noted I was in the hall, and asked if I would not like to tell them what I thought was right on that question.

I answered them something like this: that I did not feel it was my province to try and tell them which way was right, as apparently I would be the one to whom the resolution would be directed to vote on as they wished me to; but I stated that I would be glad to explain to that group both sides of the argument, as I have heard them.

I explained to that group that for the last two years, at least, no highway funds have been diverted for any purpose, and that it appeared to many people to be unnecessary legislation at this time. I explained to them that one of the finest gentlemen I know, who opposes this—not in this branch but in another—had explained to me the night before how the Constitution was like the framework of a great building. I like that idea, and I explained it to them; and then, on the other side, I explained to them there was a group which felt that this legislation was necessary, and which apparently did not trust the law-makers and the Governor, that at some time funds would not be diverted.

Upon closing my remarks, I think the opinion was very evenly distributed on both sides—a little stronger, I will admit, on the side that the amendment should not be adopted. Because I felt there

was more feeling the other way, I sat down. Then a gentleman stood up and said, "I move we go on record as unanimously adopting this resolution." And everyone raised his hands in the vote.

Later, at the noon hour, I questioned some of these men. I said: "Why are you so interested in that Constitutional amendment?" And the reasons they gave me were very much like the reasons the gentleman from Millinocket, Mr. Ward, has so very ably put before you this morning. For that reason, I have to disagree with some of my good friends and say that I believe the people of Maine want this amendment to be placed before them for them to vote on.

It seems to be the consensus of opinion that people will favor this amendment, if they have a right to vote on it.

Now, I am not going to pretend to eat any shirts or do any of those tricks, whether the people vote on this amendment favorably or not; but I do believe, however, from what I found out, that the citizens of Maine wish to have an opportunity to vote on this Constitutional amendment, and if they wish that opportunity, I believe we should forget some little petty reasons, and give them that opportunity. But I still believe the Constitution of the State of Maine was made for the citizens of that State, and that we, as citizens, do not exist for the Constitution.

The SPEAKER: The Chair recognizes the gentleman from Bradford, Mr. Osgood.

Mr. OSGOOD: Mr. Speaker and Members of the House: I believe this question has been very ably debated. The hour is getting late. I believe that every lady and gentleman here in the House has made his mind up on which way he is going to vote regardless of the lobby or anyone else. I move the previous question.

The SPEAKER: The gentleman from Bradford, Mr. Osgood, moves the previous question. In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have made and returned the count.

Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the motion of the gentleman from Presque Isle, Mr. Brewer, for indefinite postponement. The gentleman from Rangeley, Mr. True, asks for the yeas and nays. Under the Constitution, in order for the yeas and nays to be called requires the consent of one-fifth of the members present. All those in favor of the yeas and nays being called will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

Thirty members arose.

The SPEAKER: Thirty members having arisen, and thirty being one-fifth of the members present, the yeas and nays are ordered.

The question before the House is on the motion of the gentleman from Presque Isle, Mr. Brewer, for indefinite postponement.

The Clerk will call the roll.

YEA—Anderson, N. Sweden; Anderson, Oxbow Pl.; Bangs, Barnes, Benn, Brewer, Buzzell, Clough, Coombs; Davis, Buxton; Doughty, Dow, Dunn, Edwards, Ela, Flagg, Hamilton, Hawes; Jordan, Saco; Lagasse, Leavitt, Leidy, Littlefield, MacKinnon, MacLeod, Murchie, Nadeau, Pascucci, Payson, Pearson, Pelletier, Rankin, Roberts, Rollins, Savage, Seeger, Sleeper; Smith, Newport; Teel, Thompson, Warren, Webber, Welch; Williams, Auburn.

NAY—Ayer, Baker, Bartlett, Bernier, Blake, Boutin, Bowker, Boyd, Boyker, Braley; Brown, Brunswick; Brown, Eastport; Brown, Unity; Bubar, Burton, Byers, Clapp, Cleaves, Cobb; Conant, Etna; Conant, Rockland; Cousins, Crosby, Cross; Davis, Montville; Day, Dean, Deering, Denny, Donahue, Dorsey, Downs, Dutton, Emerson, Estabrook, Fargue, Forhan, Gillies, Goldsmith, Greene, Grenier, Grua, Harvey, Haskell, Hemphill, House, Hutchins, Jacobs; Jones, Earle T.; Jones, G. Wayland; Jones, William A.; Jordan, South Portland; Kent, Knight, Lackee, Leathers, Libby, Marsans, Martin, Maxwell, McFadden, McFee, McIntire, McKeen, McKusick, McLellan, Milliken, Morse; Morrison,

Rumford; Osgood, Pierce, Pottle, Poulin, Renour, Robinson; Sanborn, Baldwin; Sanborn, Wales; Sawyer, Sayward, Sirois, Small; Smith, Thomaston; Snow, Southard, Staples, Stephenson, Stillings, Tozier, True, Tuttle, Usher, Vickery, Ward; Williams, Clifton; Wright.

ABSENT—Buker, Gowell, Keller, Longstaff; Morrison, W. Harbor; Perkins, Prince, Roy, Sichel, Willey.

Yea—44.

Nay—95.

Absent—10.

Mr. HARVEY of Sangerville: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. HARVEY: To change my vote.

The SPEAKER: The Clerk will call the name of the member from Sangerville, Mr. Harvey.

Mr. HARVEY: Mr. Speaker, I voted "Yes." I wish to change my vote to "No."

The SPEAKER: There were ten absentees. Forty-four having voted in the affirmative and 95 in the negative, the motion fails of passage.

This resolve, having had its two several readings in the House and having been passed to be engrossed, and having had its two several readings in the Senate and having been passed to be engrossed, the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that the Resolve be finally passed?

This being a constitutional amendment it requires for its passage the affirmative vote of two-thirds of the House. All those in favor will rise and stand until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Ninety-four having voted in the affirmative and 38 in the negative, the resolve is finally passed. It will be signed by the Speaker and sent to the Senate.

Passed to be Enacted Emergency Measure

An Act to Provide for Reissuance of State Highway Bonds (S. P. 329) (L. D. 505)

The SPEAKER: This Bill, having had its three several readings in the House, and having been passed to be engrossed, having had its two several readings in the Senate and

having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it pass to be enacted?

This being an emergency measure, under the Constitution it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those in favor of the passage of this Bill to be enacted will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

One hundred and twenty-nine having voted in the affirmative, and none in the negative, 129 being more than two-thirds of the entire elected membership of the House, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Compensation of Fire Wardens (H. P. 829) (L. D. 396)

The SPEAKER: This Bill, having had its three several readings in the House and having been passed to be engrossed, having had its two several readings in the Senate and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it pass to be enacted?

This being an emergency measure, under the Constitution it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those in favor of the passage of this Bill to be enacted will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

One hundred and twenty-six having voted in the affirmative, and none in the negative, 126 being more than two-thirds of the entire elected membership of the House, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Providing for the Maintenance of the Road Leading to Baxter State Park (H. P. 1320) (L. D. 857)

The **SPEAKER**: This Bill, having had its three several readings in the House, and having been passed to be engrossed, having had its two several readings in the Senate and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it pass to be enacted?

This being an emergency measure, under the Constitution it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those in favor of the passage of this Bill to be enacted will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

One hundred and twenty-six having voted in the affirmative, and none in the negative, 126 being more than two-thirds of the entire elected membership of the House, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Licenses for Sale of Malt Beverages (H. P. 1325) (L. D. 866)

The **SPEAKER**: This Bill, having had its three several readings in the House, and having been passed to be engrossed, having had its two several readings in the Senate and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it pass to be enacted?

This being an emergency measure, under the Constitution it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those in favor of the passage of this Bill to be enacted will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

One hundred and twenty having voted in the affirmative, and none in the negative, 120 being more than two-thirds of the entire elected membership of the House, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion by Mr. Sleeper of Rockland

Adjourned until three o'clock this afternoon.

Afternoon Session—3:00 P. M.

The House was called to order by the Speaker.

Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Create a Board of Fire Commissioners for the Town of Sanford" (H. P. 1302) (L. D. 831) reporting that they are unable to agree.

(Signed) Messrs.

PELLETIER of Sanford

WARD of Millinocket

DONAHUE of Biddeford

—Committee on part of House.

BATCHELDER of York

VARNEY of York

ELLIOT of Knox

—Committee on part of Senate.

The report of the Committee was accepted and sent up for concurrence.

Orders of the Day

The **SPEAKER**: Under Orders of the Day, the Chair lays before the House the first matter of unfinished business, House Report "Ought to pass in a New Draft" (H. P. 1354) (L. D. 895) under new title of "An Act Relating to the Manufacture and Sale of Apple Wine" of the Committee on Temperance on Bill "An Act Relating to the Manufacture and Sale of Cider." (H. P. 1169) (L. D. 624) which was tabled by the gentleman from Livermore Falls, Mr. Grua, on April 2nd, pending acceptance of the report.

The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

On motion by Mr. Pierce, the House voted to accept the "Ought to pass in New Draft" report of the committee.

Thereupon, under suspension of the rules, the bill, having already been printed, was given its two several readings and tomorrow assigned for third reading.

The **SPEAKER**: The Chair now lays before the House the first tabled and today assigned matter, "An Act to Authorize the State

Highway Commission to Cooperate with the Public Roads Administration of the United States in the Construction and Maintenance of Flight Strips and of Certain Classes of Highways, in Order to Facilitate the War Effort." (S. P. 346) (L. D. 520) which was tabled on April 2nd, by the gentleman from Phippsburg, Mr. McIntire, pending passage to be enacted.

The Sergeant-at-Arms will see if the gentleman from Phippsburg, Mr. McIntire, is outside.

The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker, I would say that Mr. McIntire asked me to have this matter tabled for the reason he was to be somewhere in committee trying to get the Ways and Bridges bill cleaned up.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker, I move that this matter be tabled.

The SPEAKER: I would say that the Committee on Ways and Bridges seems to be in session and they should be in session here. The Sergeant-at-Arms will see if he can ascertain the whereabouts of the Committee on Ways and Bridges and bring them in.

The gentleman from Auburn, Mr. Jacobs, moves that the first tabled and today assigned matter be re-tabled and assigned for later this afternoon. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Authorizing a Reissuance of Bonds for the Purpose of Refunding Kennebec Bridge Bonds." (H. P. 1072) (L. D. 561) which was tabled on April 2nd by the gentleman from Phippsburg, Mr. McIntire, pending acceptance of report.

The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker, I move that this matter be tabled until later this afternoon.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise? The motion to table is not debatable.

Mr. MURCHIE: I apologize, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that this matter be tabled and taken up later this afternoon. All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the bill was so tabled.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, Bill "An Act Relating to the Aroostook County State Park." (H. P. 153) (L. D. 112) which the House on April 1st was passed to be engrossed, came from the Senate on April 2nd indefinitely postponed in non-concurrence; in the House tabled on April 5th by the gentlewoman from Bangor, Miss Clough, pending further consideration.

The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, due to the fact this has been taken care of through a special resolve, I move that we recede from our former action and concur with the Senate in indefinite postponement.

The SPEAKER: The gentleman from Presque Isle, Mr. Brewer, moves that the House recede from its action of April 1st whereby the bill was passed to be engrossed and concur with the Senate in indefinite postponement. Is this the pleasure of the House?

The motion prevailed and the House voted to recede from its former action whereby the bill was passed to be engrossed on April 1st, and concurred with the Senate in indefinite postponement of the bill.

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter, House Report "Ought to pass in New Draft" (H. P. 1343) (L. D. 889) of the Committee on Interior Waters on Bill "An Act Relating to Storage in Millinocket Lake," (H. P. 1199) (L. D. 690) which was tabled on April 5th by the gentleman from Greenville, Mr. Rollins, pending acceptance of the report.

The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, I move you that the report of the Committee "Ought to pass in a New Draft" be accepted and that this bill be given its first two readings at this time; and after that I will offer an amendment which to my knowledge clears up every argument heretofore that has been connected with this bill.

The SPEAKER: The gentleman from Presque Isle, Mr. Brewer, moves acceptance of the "Ought to pass in New Draft" report of the Committee. Is this the pleasure of the House?

The motion prevailed. This being a printed bill, under suspension of the rules the bill was given its two several readings.

Mr. Brewer thereupon offered House Amendment "B" and moved its adoption.

House Amendment "B" was read by the Clerk as follows:

House Amendment "B" to H. P. 1343, L. D. 889, Bill "An Act Relating to Storage in Millinocket Lake."

Amend said bill by striking out the words "for a period of two years after" in the 17th line thereof and inserting in place thereof the word 'until' and by striking out all after the word "Japan" in the last sentence thereof and inserting in place thereof the words 'and the three year period provided by said section 13 of chapter 26 shall commence on the termination of said war.'

Further amend said bill by adding at the end thereof the following: "Said corporation, its successors and assigns shall not divert any water which would now flow naturally through the outlet of said Millinocket Lake, except such diversion as shall flow into Round Pond or into Millinocket Stream above the junction of said stream and Millmagaset Stream."

Said corporation, its successors and assigns shall construct, on or before July 1, 1944, at an expense not exceeding \$500.00, a canoe channel, sufficiently deep for the floating and passage of loaded canoes at ordinary low water, from Ox Bow flats to said dam, and if said dam is higher than the dam as it existed on January 1, 1921, shall

also maintain said canoe channel, at an annual expense not exceeding \$100.00, to the satisfaction of the commissioner of inland fisheries and game."

House Amendment "B" was then adopted and the bill was tomorrow assigned for third reading.

The SPEAKER: The Chair will state that the next five matters appear on the supplemental calendar which has been issued and is on the desks of the members.

The Chair now lays before the House the first afternoon assigned matter, Bill, "An Act Relating to Slaughterhouses." (H. P. 1353) (L. D. 894) which was tabled earlier in today's session by the gentleman from Clifton, Mr. Williams, pending passage to be engrossed.

The Chair recognizes the gentleman from Bangor, Miss Clough.

Miss CLOUGH: Mr. Speaker, my understanding was that this matter was laid on the table for the purpose of offering an amendment. I find no amendment on my desk. Is it in order now to move that the bill be passed to be engrossed?

The SPEAKER: The House will be at ease for just a moment and we will see if we can locate another wandering brother. (Laughter)

House at Ease

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Goldsmith.

Mr. GOLDSMITH: Mr. Speaker, in the absence of the gentleman from Clifton, Mr. Williams, I would like to move to retable this until tomorrow morning.

The SPEAKER: The gentleman from Orono, Mr. Goldsmith, moves that Legislative Document 894 Bill "An Act Relating to Slaughterhouses" be retabled pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

The SPEAKER: The Chair lays before the House the second afternoon assigned matter, "An Act relating to the Retirement System for State Police. (S. P. 474) (L. D. 852) which was tabled earlier in today's

session by the gentlewoman from Brunswick, Miss Bangs, pending passage to be enacted.

The Chair recognizes the gentlewoman from Brunswick, Miss Bangs.

Miss BANGS: Mr. Speaker, I find I was hasty in asking for this matter to be specially assigned today, as there is a slight error in the drafting of the amendment which I was to present. Therefore, pending reproduction of the amendment, I ask that the matter be retabled.

The SPEAKER: The gentlewoman from Brunswick, Miss Bangs, moves that Legislative Document 852 be retabled. Is this the pleasure of the House?

The motion prevailed and the bill was retabled, pending passage to be enacted.

The SPEAKER: The Chair will state that if the gentlewoman can get that amendment ready, we can take it up later in this afternoon's session.

The SPEAKER: The Chair now lays before the House the third afternoon assigned matter, "An Act providing for the Licensing and Regulation of the Amusement Known as Five-in-a-Row," (H. P. 1303) (L. D. 834) which was tabled earlier today by the gentlewoman from Bangor, Miss Clough, pending passage to be enacted.

The Chair recognizes the gentlewoman from Bangor, Miss Clough.

Miss CLOUGH: Mr. Speaker and Members of the House: I tabled this matter this morning as a courtesy to one of the members here, and with the understanding that there would be an amendment offered which might so strengthen the bill that some of the opposition we have heard to it might be overcome. I wanted to assure myself, too, that we would not have racketeers from out of the state coming into this state to make this game of Beano something none of us would desire.

I have looked at the amendment that is offered, however, and it is nothing I could go along with. I hope that the members of this House will not think of this as something I requested by making my motion this morning. Now at this time I would like to be understood and make myself perfectly clear as to the position I take.

In the first place, let me say I voted for the bill. As it is now I shall vote again for the bill as it stands, and for this reason: I think that Beano, an amusement game that is being played in this State, should be regulated and controlled, just as I think that liquor and malt beverages which are being drunk in this state should be regulated and controlled.

It has seemed to me that by placing the control under the head of the State Police we have the best possible control here in this State. I think just as long as that game is regulated and controlled under the head of the State Police you will have a very efficient administration of the law that is proposed.

That, I hope, states my position clearly at this time, and I have nothing more to say as to the amendment which I shall offer now.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Pelletier.

Mr. PELLETIER: Mr. Speaker, I have on two previous occasions voted for this bill, although I had expressed the thought of the opponents that there were some things about the bill I did not like.

I have been given to understand this afternoon that an amendment was to be proposed which would take care in large part of some of the objections which I raised. I will say this to the members of the House: that it is not the amendment that is here on my desk, but another one that someone here is to offer.

It was my intention to ask the House to reconsider its action whereby it passed this bill to be engrossed, so that we might offer a real amendment that would take care of these objections.

Before I move for reconsideration, I want the party or parties who are to offer this amendment to get up on their feet and tell us what this amendment is all about.

The SPEAKER: The Chair recognizes the gentleman from New Sweden, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, when the gentlewoman from Bangor, Miss Clough, referred to tabling the matter this morning as a courtesy to one of the members, I knew she meant me, because I asked her to table it. I signed the

minority report, but when this matter was being argued in the House I was not here, because I was sick. While I do not have any particular opposition to Beano for charities and the like, I did sign the majority report first and later changed my mind, because of the fact I saw there was a loophole that would allow racketeers to come in.

I have at this time prepared an amendment, but I have not had it reproduced. This amendment would allow Beano for charitable organizations and fraternal and patriotic organizations and it would not charge any exorbitant fee. The licensing fee would be two dollars and it would limit them to six-day periods of running.

Now, I do not know whether many of you people have seen Beano made a racket of, but I have lived in Massachusetts four or five years and seen the racket in Massachusetts, and that was the main reason I signed the minority report. It was not because I did not like to play Beano at a charity function or at a fair. I think the agricultural fairs should have Beano, and I have not any objection to it at all. For that reason, I hope that the motion of the gentleman from Sanford, Mr. Pelletier, will prevail, that I may introduce the amendment at a later time.

The SPEAKER: Did the gentleman from Sanford, Mr. Pelletier, move to reconsider?

Mr. PELLETIER: Mr. Speaker, I move that the House reconsider its action whereby this bill was passed to be engrossed, so that we can put on an amendment that will keep the racketeers out of the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Ward.

Mr. WARD: Mr. Speaker and Members of the House: I do not propose to encroach upon your good nature by making a long speech at this time. This matter has been debated and considered twice in this House, and now the people who are opposed to the bill are asking you to continue to delay action on final enactment.

There is only one matter that I would like to call to the attention of the House in regard to this bill. It was a point over which the

gentleman from Bridgton, Mr. Rankin, expressed concern, and that is the proposition of the town officers having control over this game. I would like to read to you a copy of a letter written by the Attorney General of the State of Maine. This letter is dated April 2, 1943, and directed to Henry P. Weaver, Chief of Maine State Police, Augusta, Maine. It reads as follows: "Dear Sir:

"I have considered your query as to the effect of certain provisions of Legislative Document Number 834, 'AN ACT Providing for the Licensing and Regulation of the Amusement Known as Five-in-a-Row.'

"Under Section 2 of the bill, provision is made that an application for a license to conduct such an amusement 'shall bear the consent of the municipal officers of the town or city in which it is proposed to operate such amusement'.

"Section 3 provides: 'The chief of the state police may, at his discretion, issue licenses to operate such amusement.'

It is apparent that the authority in the chief of the state police to issue licenses is absolutely dependent on there having been a prior fulfilling of the conditions in Section 2. The chief of the state police will have no authority whatsoever to even consider an application until it has received the consent of the municipal officers. When such an application is submitted to him he then may use his discretion in deciding whether or not to issue a license.

Very truly yours,
Frank I. Cowan,
Attorney General."

I submit to you that this present bill has all the safeguards and the broad powers which are granted to the Chief of the State Police to protect the citizens of this State from any racketeers coming from without our State. I hope that this body at this time, after having twice carefully considered this matter and voted on it, will not now open up the question and permit a number of amendments which are only intended to weaken the bill. For that reason, I hope that the motion of the gentleman from Sanford, Mr. Pelletier, will not prevail.

The SPEAKER: The Chair recognizes the gentleman from New Sweden, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, as I said before, I was quite interested in Beano, and I was a bit alarmed about this racketeering angle. Only this morning I got a letter from an attorney in Aroostook County, and he wants to know all about this bill because he has a client who wants to get started up just as soon as it becomes legal. Now, that just furthers my argument when I contend it is going to be made a racket, and that is the reason why I wanted this amendment right before us as soon as possible.

The SPEAKER: The question before the House is on the motion of the gentleman from Sanford, Mr. Pelletier, that the House reconsider its action whereby it passed this bill to be engrossed.

The Chair recognizes the gentleman from Auburn, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I have not previously said anything in regard to this bill. However, last evening it came to my attention through the members of our local organizations, the Veterans of Foreign Wars and the American Legion, that the bill in its present form was not acceptable to them. They in fact told me they had gone so far as to write and telegraph to the Governor asking him to veto the bill, and that they felt it should be limited in such a way that no outside promoters could come in here and operate a game of Beano. They said that if local organizations were to run it they should not merely sponsor it but they should actually operate it, which would thus eliminate the professional aspects and the real danger of gambling. Therefore, I feel that if we are to pass this legislation, which I think we all, if we are honest, must admit is a gambling bill, we should limit this more than has been done in the original bill.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Savage.

Mr. SAVAGE: Mr. Speaker and ladies and gentlemen of the House: I do not attempt to speak for the American Legion of Maine but I will speak as a Legionnaire. I know that the Legion in my town is in favor of this bill and I know that it is in favor of it in most cities and towns of the State. I know of the condition in Auburn of which the gentleman from Auburn, Mr.

Williams, speaks. They have a fairly profitable Beano game going there and they do not want their plans interrupted; and I do not blame them. I think it is a shame we do not put this Beano law on the books. We are asking the fairs and asking the Legion and the churches, all respectable organizations in the State here, to operate this Beano without any law connected to it. We are asking our State Police and our government to just sort of wink at the idea of playing Beano, which is against the law now.

The Governor told us in his message that if we had any laws on the books that were not being taken care of and administered right, we should change them. I think this is one of the bills we should not change, and I hope we will pass this bill just as it is. We have had it up twice and talked on it, and I am not going to talk any more now.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Southard.

Mr. SOUTHARD: Mr. Speaker, I think it was four years ago I attended a meeting of the American Legion the Veterans of Foreign Wars and auxiliary organizations of the Grand Army at Waterville, and we prepared a bill which was introduced in the Legislature; and that bill was drafted exactly on the same lines as this amendment which is proposed by the gentleman from New Sweden, Mr. Anderson. I think that is the bill that the American Legion the Veterans of Foreign Wars, the charitable and church organizations would desire. I have never been a resident of Massachusetts. I have been up to Fall River quite a lot and I tell you that Beano is a racket in Fall River.

The SPEAKER: The gentleman from Sanford, Mr. Pelletier, moves that the rules be suspended in order that he may make a motion for reconsideration.

The motion prevailed.

The SPEAKER: The gentleman from Sanford, Mr. Pelletier, now moves that the House reconsider its action whereby Bill "An Act Providing for the Licensing and Regulation of the Amusement Known as Five-in-a-Row" (H P. 1303) (L. D. 834) was passed to be engrossed in the House on March 31st.

The SPEAKER: The Chair recognizes the gentleman from Millinocket. Mr. Ward.

Mr. WARD: Mr. Speaker, I would request a division on the vote.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, asks for a division. All those in favor of the motion of the gentleman from Sanford, Mr. Pelletier, that the House reconsider its action whereby this bill was passed to be engrossed will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had.

Sixty-three having voted in the affirmative and 54 in the negative, the motion to reconsider prevailed.

The SPEAKER: The Chair recognizes the gentleman from New Sweden, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I now offer House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from New Sweden, Mr. Anderson, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

House Amendment "A" to H. P. 1303, L. D. 834, Bill "An Act Providing for the Licensing and Regulation of the Amusement Known as Five-in-a-Row."

Amend said bill by striking out section 3 of said bill and inserting in place thereof the following:

"Sec. 3. Issuance of Licenses; Fees. The chief of the state police may issue licenses to operate such amusement, provided however, that no such license shall be issued for more than six days to any fair association, or bona fide charitable, educational, fraternal, patriotic, religious or veterans organization, when sponsored, operated and conducted for the exclusive benefit of such organization by duly authorized members thereof. No such license shall be issued to any person, firm, or corporation other than a fair association, or bona fide charitable, educational, fraternal, patriotic, religious or veterans organization, not in existence at least two years prior to the passage of this act. The fee for such license shall be two dollars and shall be paid to the treasurer of state to be credited to general funds. No such licenses shall be assignable or transferable. There shall

be no charge for admission to such amusement, or to the hall or place where the amusement is held."

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "A"?

The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, may I ask the gentleman from New Sweden, Mr. Anderson, for his interpretation of the very last sentence of this amendment. My interpretation would be that a fair could not charge admission at its gates if it held Beano games.

The SPEAKER: The gentleman from Presque Isle, Mr. Brewer, asks a question through the Chair of the gentleman from New Sweden, Mr. Anderson. The gentleman from New Sweden, Mr. Anderson, may answer if he wishes.

Mr. ANDERSON: Mr. Speaker, according to my interpretation, that last sentence means that they shall make no charge to a hall. I don't think it refers to fair grounds.

Mr. BREWER: But it says "or to the hall or place where the amusement is held."

The SPEAKER: The gentleman will address his question through the Chair. The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, I would also like to ask a question through the Chair of the gentleman from New Sweden, Mr. Anderson. I really sort of favor this amendment, but I would like to keep the racketeers out of it. The bill says that no license shall be issued for more than six days. Now, the charitable organizations in Rockland run these Beano games—they still run them too—and they are having a game there every Thursday night, fifty-two times a year. Do I understand by this that they have to have a license every six days and pay two dollars every time or can they get a license for a longer time?

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, asks a question through the chair of the gentleman from New Sweden, Mr. Anderson. The gentleman may reply if he desires.

Mr. ANDERSON: Mr. Speaker, probably it is unfortunate that this amendment is written in English.

Perhaps it should have been written in Swedish, as that is my native tongue, but I think it reads good enough in English. My intention was that there should not be any license continued for more than six days. The intention was not to stop them from getting a license, but they could not run a continuous show for over six days. Perhaps that is subject to misinterpretation, but there are all kinds of interpretations in here.

The SPEAKER: The question before the House is on the adoption of House Amendment "A". The Chair recognizes the gentleman from Millinocket, Mr. Ward.

Mr. WARD: Mr. Speaker, I simply would like to point out to this House that if this amendment should be adopted, as near as I can interpret it, any person, firm, or corporation may still apply for a license; the only difference being that the fee is reduced and there is no restriction on the number of seats that can be operated and, according to the section here, no such license shall be issued to any person, firm or corporation other than a fair association, and so forth, not in existence two years prior to the passage of this act. Any boy or girl over two and one-half years old may apply for a license.

The SPEAKER: The Chair recognizes the gentleman from New Sweden, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, as I understand the law, almost anybody can apply for a license. I don't think there is any restriction against a two year old boy applying for an operator's license, but whether or not he would be granted one is another question.

The SPEAKER: The question before the House is on the adoption of House Amendment "A". All those in favor will say aye, those opposed no.

A viva voce vote being doubted, A division of the House was had.

Sixty having voted in the affirmative and 59 in the negative, the motion prevailed. House Amendment "A" was adopted, and the bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the first

tabled and unassigned matter, House Report, "Leave to Withdraw be Granted" of the Committee on Judiciary on Bill "An Act Relating to a Retirement System for State Police." (H. P. 1105) (L. D. 571) which was tabled on March 29th by the gentleman from Brunswick, Miss Bangs, pending acceptance of Report; and the Chair recognizes that gentleman.

Miss BANGS: Mr. Speaker and Members of the House: I find myself embarrassed to ask that this be retabled. However, pending the State Police Retirement Bill before us and the proposed amendment, I would ask that this bill be retabled.

The SPEAKER: The gentleman from Brunswick, Miss Bangs, moves that Bill "An Act Relating to a Retirement System for State Police" (H. P. 1105) (L. D. 571) be tabled. Is this the pleasure of the House?

The motion prevailed, and the bill was so retabled pending acceptance of report.

The SPEAKER: The Chair now lays before the House the second tabled and unassigned matter Bill "An Act Relating to the Board of Trustees of the Jointly-Contributory Retirement System (H. P. 552) (L. D. 287) which came from the Senate engrossment reconsidered, on April 1st, Senate Amendment "A" Adopted in non-occurrence, tabled April 2nd by the gentleman from Portland, Mr. Payson, pending further consideration; and the Chair recognizes that gentleman.

Mr. PAYSON: Mr. Speaker and Members of the House: I hope I have attempted to expedite the work of this Legislature rather than to hinder it. Senate Amendment "A" makes an exception as to the wardens and guards of the State Prison—different from the treatment of other members of the contributory pension system. In every amendment that has been offered of this nature at this session, the head of the department has been asked to show cause why his employee should be treated differently.

I have one message here before me from the State Prison, which was written by the warden; and I have another which I hope to have in your hands at four o'clock.

I do not wish to ask the House to adopt Senate Amendment "A" until I have before me in writing, and you have before you in writing, a statement to justify its adoption.

I therefore move that this bill be tabled, and I will take it from the table immediately when the paper is in my hands.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that this matter lie on the table. Is this the pleasure of the House?

The motion prevailed and the bill was so retabled pending further consideration.

The SPEAKER: The Chair lays before the House the third tabled and unassigned matter, Resolve, Proposing an Amendment to the Constitution Relating to Adoption of Amendments to the Constitution, (S. P. 357) (L. D. 644) tabled on April 2nd by the gentlewoman from Bangor, Miss Clough, pending final passage; and the Chair recognizes that gentlewoman.

Miss CLOUGH: Mr. Speaker, I move that L. D. 644 now receive final passage as a constitutional amendment.

The SPEAKER: This Resolve having had its several readings in the House and having been passed to be engrossed, and having had its several readings in the Senate and having been passed to be engrossed, the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that this Resolve be finally passed? This being an amendment to the Constitution, it requires for passage the affirmative vote of two-thirds of the House. All those in favor of final passage of this Resolve will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-two having voted in the affirmative, and none in the negative, the Resolve was finally passed and sent to the Senate.

The SPEAKER: The Chair lays before the House (S. P. 346) (L. D. 520) Bill "An Act to Authorize the State Highway Commission to Cooperate with the Public Roads Administration of the United States in the Construction and Maintenance of Flight Strips and of Certain Classes of Highways, in Order to Facilitate the War Effort," tabled earlier this afternoon by the gentleman from Auburn, Mr. Jacobs.

The Chair recognizes the gentleman from Phippsburg, Mr. McIntire.

Mr. McINTIRE: Mr. Speaker, I move passage to be enacted.

The SPEAKER: This bill, having had its several readings in the House and having been passed to be engrossed, and having had its several readings in the Senate and having been passed to be engrossed, the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that this bill be passed to be enacted?

This being an emergency measure, it requires for passage the affirmative vote of two-thirds of the entire elected membership of the House. All those in favor of the passage of this bill to be enacted will rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

One hundred and eighteen having voted in the affirmative and none in the negative, 118 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair lays before the House, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Authorizing a Reissuance of Bonds for the Purpose of Refunding Kennebec Bridge Bonds" (H. P. 1072) (L. D. 561) tabled earlier today by the gentleman from Auburn, Mr. Jacobs.

The Chair recognizes the gentleman from Phippsburg, Mr. McIntire.

Mr. McINTIRE: Mr. Speaker, I move the acceptance of the "Ought not to pass" report of the committee.

The SPEAKER: The gentleman from Phippsburg, Mr. McIntire, moves the acceptance of the "Ought not to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed, and the "Ought not to pass" report was accepted and sent up for concurrence.

The SPEAKER: The hour having arrived which was assigned for third reading of bills, we will now take up that item.

Passed to be Engrossed

Bill "An Act Providing for the Retirement of Certain Hancock-Sullivan Bridge Bonds" (S. P. 483) (L. D. 888)

Bill "An Act to provide Strict Enforcement Provisions Covering the Operation of Retail Outlets of Malt Beverages" (S. P. 484) (L. D. 896)

Resolve Authorizing the Purchase of Property for the State (S. P. 78) (L. D. 34)

Resolve for the Purchase of One Hundred Copies of "History of Morrill, Maine" (S. P. 199) (L. D. 897)

Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons (S. P. 485) (L. D. 898)

Resolve in favor of George Crimmins of Brunswick (H. P. 1218) (L. D. 904)

Resolve in favor of William F. Tracy of Passadumkeag (H. P. 1362) (L. D. 905)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, I move to take from the table the fifth unassigned matter on our supplement, Bill "An Act Relating to Conscious Suffering Preceding Death" (S. P. 473) (L. D. 854) tabled by me earlier in the day, and for the purpose of making an amendment which will clarify this particular bill I wish to move that the rules be suspended in order that I may make a motion to reconsider our action whereby we passed this bill to be engrossed.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, moves to take from the table (S. P. 473) (L. D. 854) Bill "An Act Relating to Conscious Suffering Preceding Death". Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, now moves that the rules be sus-

pending in order that he may make a motion for reconsideration. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, now moves that the House reconsider its action of March 31st whereby this bill was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, I now offer House Amendment "A" to S. P. 473, L. D. 854, Bill "An Act Relating to Conscious Suffering Preceding Death" and move its adoption.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

House Amendment "A" was read by the Clerk as follows:

House Amendment "A" to S. P. 473, L. D. 854, Bill "An Act Relating to Conscious Suffering Preceding Death."

Amend said Bill by inserting after the word "damages" in the 10th line thereof, the words:

'in a separate count in the same action'.

Further amend said Bill by inserting after the word "death" in the 12th line thereof, the words:

'and exclusively for the beneficiaries'.

Further amend said Bill by inserting after the word "section" in the 12th line thereof, the words: **'separately found,'.**

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "A"?

Thereupon, House Amendment "A" was adopted, and the bill, as amended, was passed to be engrossed in non-concurrence, and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, I now move to take from the table the sixth unassigned matter on today's supplement, Bill "An Act Relative to Enforcing the Collec-

tion of Real Estate Taxes by the Alternative Method" (H. P. 1291) (L. D. 418) tabled by me earlier in the day.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, moves to take from the table the sixth unassigned matter tabled by him earlier today pending passage to be enacted. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, in this particular bill there is an error in the bill which makes it doubtful as to when a lien is put on by a new tax collector just what the date of expiration on that lien should be. The intent, evidently, was that the eight months should run from the date of the original commitment of taxes to the first tax collector. It seems this would be the most appropriate time to clarify that law. Therefore, I now move suspension of the rules in order that I may make a motion to reconsider our action whereby we passed this bill to be engrossed, so that I may offer an amendment.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, moves that the rules be suspended in order that he may make a motion for reconsideration. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, now moves that the House reconsider its action of March 23rd whereby this bill was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, I now offer House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, offers House Amendment "A" to H. P. 1291, L. D. 814, Bill "An Act relative to Enforcing the Collection of Real Estate Taxes by the Alternative Method," and moves its adoption. The Clerk will read the amendment.

House Amendment "A" to H. P. 1291 L. D. 814, Bill "An Act relative to Enforcing the Collection of Real Estate Taxes by the Alternative Method."

Amend said Bill by inserting before the word "commitment" in the 12th line thereof the underlined words 'the original' and by drawing a line through the words "to him" in said 12th line.

Further amend said Bill by inserting before the word "commitment" in the 21st line the underlined words 'the original' and striking out the words "to him" in said 21st line.

Thereupon, House Amendment "A" was adopted, and the bill, as amended, was passed to be engrossed in non-concurrence, and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, I would like to ask that the rules be suspended so that we may reconsider our action on S. P. 485, L. D. 898; and in explanation of which I would say I have been waiting for an amendment to come through printed and it was stopped on the way. This amendment which will be offered is on Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons. It is putting an Emergency preamble on that Resolve so that they will not have to wait until the end of September to get their money. Under the present set-up, the period would start on July 1st and they are paid at the end of three months. It will be sometime after September 30th when these people receive any money at all. The majority of these people are in dire need of getting funds as soon as possible, and I think we ought to try to do something for them in this regard. This amendment will at least give them part of their money starting May 1st, and they will get it July 1st. The way it is now they will not receive anything for over five months, and a lot of them cannot wait that length of time without the food and clothing they need. I therefore ask that the rules be suspended so that we may take this matter up.

The SPEAKER: The gentleman from Monmouth, Mr. Marsans, moves that the House reconsider its action taken earlier today whereby S. P. 485, L. D. 898, "Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons" was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, I now offer House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Monmouth, Mr. Marsans, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

House Amendment "A" to S. P. 485, L. D. 898, "Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons."

Amend said resolve by adding after the title thereof, the following: **'Emergency preamble.** Whereas, a state of war exists between the United States and Germany and Japan, and

Whereas, the cost of living has increased greatly, and

Whereas, the people receiving aid from the state must have more assistance immediately in order to maintain themselves, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it'

Further amend said resolve by striking out in the 5th line thereof the word "July" and inserting in place thereof the word 'May'.

Further amend said resolve by adding after the figures "1943" in the 5th line thereof the following: ', provided, however, that the 1st payment shall be for the period from May 1 to June 30',

Further amend said resolve by adding at the end thereof the following: **'Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.'

Thereupon the bill and amendment were tabled pending reproduction.

The SPEAKER: It appears that the House has now taken care of every matter that it can this afternoon. There are only six matters remaining. The Clerk will read the notices.

On motion by Mr. Sleeper of Rockland,

Adjourned until 10 o'clock tomorrow morning.